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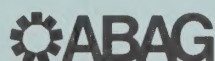
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DRAFT ENVIRONMENTAL MANAGEMENT PLAN FOR THE SAN FRANCISCO BAY REGION

Volume III Summary of public comments and responses

April 1978

This plan was prepared by the Association of Bay Area Governments with a grant and other assistance from the Environmental Protection Agency, in cooperation with Bay Area Air Pollution Control District, Metropolitan Transportation Commission, San Francisco Bay Regional Water Quality Control Board and Counties of the Bay Area with assistance of these agencies: ■ Army Corps of Engineers ■ California Air Resources Board ■ California Department of Health ■ California Department of Transportation ■ Council of Bay Area Resource Conservation Districts ■ Governor's Office of Planning and Research ■ Lawrence Berkeley Laboratory ■ Lawrence Livermore Laboratory ■ San Francisco Bay Conservation and Development Commission ■ State Water Resources Control Board ■ State Solid Waste Management Board ■ Wastewater Solids Study



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PUBLIC COMMENTS AND STAFF RESPONSES TO
DRAFT ENVIRONMENTAL MANAGEMENT PLAN
FOR THE
SAN FRANCISCO BAY REGION

Comments and responses are organized by dates received and responses made; earlier references to certain policies and actions of the draft AQMP do not reflect actions on the draft plan by the Environmental Management Task Force.

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GENERAL COMMENTS ON THE EMP

January 3, 1978 to
March 8, 1978

COMMENTS NOT SPECIFIC TO MANAGEMENT PLANS

INDIVIDUAL/COMMENT:

F. E. Wilts, San Leandro Manufacturers' Association

"The most serious defect...is the inadequacy of the time allocated and the communication plan developed to communicate this complex plan to the public and to allow for understanding and rational feedback."

James P. Connolly for the City of Milpitas

"We have no objection to the three stated goals of the draft EMP and we especially support Goal No. 3...To be implementable--that is, to have no social, economic or environmental effects so unacceptable that the plan cannot be carried out."

John K. Christenson, Oakland Chamber of Commerce

"...any control measures that are being proposed must be weighed with the negative economic effects they might have on the future of Oakland and the Bay Area."

Jon Q. Reynolds, East Bay Municipal Utility District

"We strongly believe that more time should be allowed for public input and adequate consideration by EMTF...we believe that the final plan should have a broad base of support or the benefit of a vote of the people."

San Jose Chamber of Commerce

"We have reservations about the Bay Area's ability to shoulder the money costs of the program..."

RESPONSE:

Federal law required submittal of this plan within a given time period. The major recommendations were released in September 1977. EMTF's actions were not completed until March 1978, and the General Assembly will act on the plan in June 1978. Also, the continuing planning process will allow amendments and revisions any time thereafter.

No response needed.

Each control measure has been assessed - most of them individually, some of them in groups. A Draft Environmental Impact Report on the EMP has been prepared. Specifically for the Air Quality Plan, refer to AQMP Tech Memo 15, "Assessment of Air Pollution Control Programs." All of this material describes and analyzes impacts, including negative economic affects, of environmental control measures in this plan.

See response to F. E. Wilts above. Federal time limits, furthermore, simply do not allow adequate time for a popular vote.

Cost information is included in the EMP. Final judgments about the Bay Area's ability to pay these costs are left to local politicians, who have eventual responsibility for approving and implementing this plan. In addition, much of the plan can be paid for with Federal and State contributions.

INDIVIDUAL/COMMENT:

Jerry Crabtree, Castro Valley Sanitary District

"The Castro Valley Sanitary District wishes to endorse the findings of the local subregional wastewater agency, East Bay Dischargers' Authority, in regard to the subject Plan."

James M. Buell for the City of Brentwood

"...it appears vital that time be taken to complete and adopt a plan that is supported to the greatest extent possible rather than risk either defeat of the present proposal or the adoption of it in its present form."

Ruth Cannon, Planning Policy Committee of Santa Clara County

"The PPC supports the overall objectives of the draft EMP, as well as most of the policies and actions proposed in the Plan...Many of the draft Plan's policies are directly related to State and Federal law requirements. Some of the policies will require expenditures which are beyond the financial capabilities of local agencies. The PPC feels that it is imperative, therefore, that adequate State and Federal funds be provided to local agencies to aid in implementing the policies of the Plan...There must be a reasonable amount of flexibility allowed in determining what constitutes compliance with adopted regional policies...ABAG and the other regional, State and Federal agencies which may have statutory responsibilities related to the implementation of the Plan must be reasonable and, where appropriate, flexible in interpreting the policies in the EMP. Conversely, local agencies have a responsibility to make good faith efforts to implement the policies of the Plan once they are adopted."

William A. Gissler for the City of Santa Clara

"In general, the Council is supportive of the objectives of the Plan...However, the Council does have two broad - but very important concerns...The first concern deals with the ultimate role of ABAG in the entire environmental management process and the resulting loss of control with respect to cities, counties and existing single-purpose State and regional agencies. The second concern involves the impact of the Plan on local land use determinations."

RESPONSE:

No response needed.

See responses to F. E. Wilts and San Jose Chamber of Commerce above.

See response to San Jose Chamber of Commerce above. Staff agrees that significant Federal and State money will be needed for full plan implementation. Flexibility in implementation is assumed.

ABAG's role in implementation of the plan would not change from its present one of coordination and planning. ABAG's enforcement authority is limited to A-95 review and comment on applications for Federal grants, and this would be no different during implementation of this plan. As for land use determinations, EMTF has recommended that they be removed from the Air Quality Plan and studied further.

INDIVIDUAL/COMMENT:

Richard C. Rhodes, Santa Clara County Medical Society

"Basic support of regional government approach to a regional problem, and specifically, approval of most of the EMP."

Robert F. Burgess for the Town of Woodside

"The Woodside City Council suggests that the plan does not give sufficient emphasis to the difference between urban areas, suburban areas, and rural areas. We also find that some of the statements made in the plan are not supported by facts. The plan uses the term "Urban Service Area" but does not define the meaning of the term as it is used in this plan...The Woodside Town Council urges that a statement be made at the beginning of the plan to the effect that: "The region is composed of many cities, counties and other agencies, each of which have varying individual characteristics." These characteristics are generally described as urban, suburban and rural. All policies and actions should clearly state whether the policy applies to an urban area, a suburban area, or a rural area."

Verne Roberts for the City of Antioch

"The EMTF should have the ABAG staff: (a) Distinguish between those policies that are required by EPA as a minimum standard and those that exceed that standard; (b) Distinguish between those policies that are presently in effect and those which would be new."

Michael S. McGill, SPUR

"Taken as a whole, SPUR supports the draft EMP and urges its adoption by both the EMTF and ABAG for submission to relevant State and Federal agencies."

Richard B. Kerwin for the City of Brisbane

"...those measures with the highest impact in reducing pollution have the lowest amount of disruptive qualities relative to the quality of life."

RESPONSE:

No response needed, except that much of the Plan's implementation is at local, State and Federal - not regional - levels of government.

The plan was developed to apply to the entire 9-county Bay Area. It is a regional and not a site-specific plan. As such, the policies and actions are more general than they would otherwise be. The Town of Woodside is correct in pointing out that "Urban Service Area" is undefined in the draft plan. The term refers to that area within which urban services (sewer, water, and so on) are now provided or are committed. For the purposes of Woodside, this would include the Town's entire Sphere of Influence as identified by the San Mateo County Local Agency Formation Commission. There was no independent assessment of this by ABAG staff. Practically speaking, however, the land use policies and actions were not maintained as part of the air quality plan, and thus the issue for now is moot.

EPA does not require the adoption of a set of specific policies and/or actions. However, much of the plan is required to meet a set of Federal and State numerical standards. The policies and actions are intended to meet these standards. The "Schedule for Action" column in Volume I's light blue pages indicates when an action is supposed to be implemented; if it is already in effect, this is indicated in the column.

No response needed.

It is true that certain measures, particularly in the air quality plan, might bring about a change in the lifestyle of certain people. Whether or not this would be "disruptive" to the "quality of life" is a highly subjective matter. The issue faced by staff was putting together a package of control measures so that applicable Federal and State standards could be met. This required the inclusion of controls of several different types.

INDIVIDUAL/COMMENT:

Charles R. Cate for the City of Morgan Hill

"As a general statement, the Council is supportive of the major three goals of the plan, but feels that the cost implications to the cities are not very clear with regard to implementation...a broad brush approach to dealing with air pollution and other environmental problems in the north county area may not be applicable in our section of the county."

William C. Hern, Peninsula Manufacturers Association

"...we suspect that the 'public' who are expected to react at local workshops such as this has even less knowledge of the Plan and hence realistically cannot be expected to participate in the evaluation process. Very brief examination of the Summary and Plan recommendation reveals what appear to be serious technical difficulties with the Plan...Any further regulations which cause Bay Area plants a competitive disadvantage as against like plants situated outside of the Bay Area only hastens the day when these Bay Area plants will cease to exist. And there will be few new plants to replace them."

Michael J. Dougherty, Union Oil Company of California

"The public review period is totally inadequate to allow proper evaluation of all portions of the draft EMP."

Robert I. Schroder for the Contra Costa County Board of Supervisors (per County Planning Department staff)

"Recommendation: 1. Request the ABAG Executive Board to take immediate action to arrange a time extension for approval of the plan - through legislation, if necessary; 2. If it is not possible to arrange for a general time extension, then a more modest EMP should be approved initially, placing the unresolved items in sequential consideration schedule and the plan update process..."

RESPONSE:

Now that land use controls have been deleted from the air quality plan, the only new major program is surface runoff. Morgan Hill should consult the Santa Clara County Surface Runoff Plan for details on costs of this program to the city. There are few other programs involving significant new costs to cities, and insofar as this is true, Morgan Hill is correct in pointing out that such costs (per city) are not specifically pointed out in the draft plan. This information will be developed as implementation of the plan is negotiated. As for the north county/south county distinction, flexibility is involved in implementation of the plan. Not all control measures are to be implemented everywhere in the nine counties.

ABAG has undertaken an extensive public participation program in each of the Bay Area's counties during formulation of the draft plan. Tabloids and popularized summaries have been available for many months. Technical difficulties have been the focus of discussion at Technical Advisory Committee meetings during the course of plan preparation; further suggestions of specific problems should, of course, still be made. Regulations applied to industry are based on existing State and Federally required programs for water quality. For air quality, other non-attainment areas of the country are also required to prepare this type of plan, and thus it is likely that virtually all major metropolitan areas of the country will need to consider and implement abatement measures for industrial emissions such as those in the Bay Area's plan.

See response to F. E. Wilts above.

The Executive Board has allowed an additional two months for draft plan review and approval. Any further extension could not be allowed under the provisions of Federal law as well as ABAG's contract with EPA.

INDIVIDUAL/COMMENT:

"Recommendation: Approve as the EMP, Volume I of the draft, the agency responsibilities text of Volume II, and the eight County Surface Runoff Management Plans as modified during the review process. All other material, including the EMP's EIR, should be clearly identified as unadopted supplementary material."

"...It is not possible to estimate total costs to local governments, nor is it possible to estimate the local share of funds proposed to be used for matching monies to obtain Federal or State grants. Local cost estimates are absent for some costly items...Local government decision-makers need these cost estimates in order to determine if the environmental benefits warrant the costs, and to determine if the local costs can be met given state restrictions on tax rate increases."

"Recommendation: Prepare information for each recommended action noting whether it is: a present function or program of a government agency; an enabled function or program of a government agency not fully implemented at this time; a recommendation of the EMP which would be a new function or program."

"Since the Series 3 projections are computer generated, do not reflect holding capacities, and were prepared for regionwide usefulness, (a) cautionary note, similar to the one found on ABAG's previous Series 2 projections, should be added to the EMP and to all other uses of these projections."

Ivan H. Gilman, Chevron, U.S.A.

"...Insufficient time has been allowed for a public review of the plan. This is especially critical in view of the plan's probable use as a road map for Bay Area development from now to the year 2000. It is also critical because it may be very difficult legally and politically to revise the plan in the future."

RESPONSE:

Staff generally agrees. However, for legal purposes, the draft EIR must be converted into a final document. The lead agency (ABAG) must then certify that the final EIR was completed in compliance with State law and guidelines and that the decision-making body (the ABAG General Assembly) has reviewed and considered this information before approving the plan. No one needs to "adopt" the EIR.

See response to City of Morgan Hill above. However, the County Planning Department need not refer to its own surface runoff plan for an estimation of costs because that plan does not contain such information.

The columns on the light blue pages indicate this information. Under "Schedule for Action", if the action is currently underway, this is so indicated. Under "Legal Authority", the appropriate law, regulation or policy is listed if the designated implementing agency is enabled to undertake the action.

This is a useful suggestion. A set of guidelines is being developed and will respond to the "cautionary" concern. On the other hand, holding capacities are already reflected in the projections.

See response to F. E. Wilts above.

INDIVIDUAL/COMMENT:

Dr. Wayne Williams, and James S. Cannon, Citizens for a Better Environment

"ABAG should encourage the development and utilization of non-polluting energy resources in the Bay region...We believe that the Plan does not pay sufficient attention to the need for tight control over pollution generated from local industry, particularly toxic substance pollution..."

Mary Carr Scales

"I recommend that more attention be paid to disposal of toxic wastes...I think ABAG's EMTF would be a good place to hash out difference of opinion on energy policies..."

Rod Diridon for the Santa Clara County Board of Supervisors

"The Board of Supervisors supports the overall objectives of the draft EMP, as well as most of the policies and actions proposed in the Plan. Most of the basic policies contained in the draft Plan are very similar to policies previously adopted or currently being considered by the County and/or its fifteen cities...There must be a reasonable amount of flexibility allowed in determining what constitutes compliance with adopted regional policies...The Board feels it is important, therefore, that ABAG and the other regional, State and Federal agencies which may have statutory responsibilities related to the implementation of the Plan must be reasonable and, where appropriate, flexible in interpreting the policies in the EMP. Conversely, local agencies have a responsibility to make good faith efforts to implement the policies of the Plan once they are adopted."

RESPONSE:

Energy considerations are included in the draft EMP to the extent that they affect water quality, water supply, solid waste and air quality management. They are also appropriate to other parts of ABAG's planning programs. As for toxics, the question is presumably directed to the water quality plan, where toxic substance abatement is discussed on Pages III-28 et seq. of Volume I. Measures to control toxic discharges are included in the Plan Recommendations table. Further evaluation will take place during the continuing planning process.

Regarding toxic wastes, see response to Dr. Wayne Williams. As for energy policies being discussed by EMTF, the task force has discussed energy issues as related to other environmental concerns. The future of EMTF is being decided by the Executive Board, and if it is discontinued, further such discussions will no doubt take place by the policy body overseeing the continuing planning process. Also, energy concerns related to other ABAG plans and programs, which are directed by other ABAG committees.

This comment is similar to that of the Planning Policy Committee of Santa Clara County. The response to that comment should be consulted.

INDIVIDUAL/COMMENT:

A. T. Huezco for the City of Newark

"...the Newark City Council proposes the following amendments... Only the (blue page) section of the draft EMP for the San Francisco Bay Region shall be considered formal sections of the plan. All other sections shall be considered commentary only and shall have no legal or interpretive authority for future interpretation of the Plan...Be it resolved that the ABAG Executive Board apply for a 6-month extension of time for approval of the EMP to permit sufficient time for counties and cities to adequately analyze and review the two years of preliminary work which has been presented for action. Be it resolved that ABAG arrange for additional General Assembly meetings beyond April 6, 1978 in order to allow sufficient time for each element of the Plan to be adequately considered..."

David Bruce

"...I suggest that ABAG, through its EMP, has an opportunity to help people locally, nationally, and world wide by becoming more consciously and actively aware of population problems..."

Fred O. Wood for the City of Gilroy

"Plan does not make provision for specific local environmental needs and differences...the City of Gilroy very seriously opposes the continued deterioration of our local autonomy by mandates extended by Federal, State and regional agencies. Municipalities provide our national citizenry with basic life-providing services and this country's finest example of person to person democracy. Further degradation of local rights attack the very foundation of our governmental process."

Ron Ardissonne for the City of Hercules

"Insufficient time has been afforded for analysis and review of the far-reaching recommended actions by the affected communities and agencies...Mandated and non-mandated plans should be identified and handled separately. Consideration should be given to evaluating mandated plans first with other environmentally desirable but non-mandated plans evaluated sequentially."

RESPONSE:

The first suggested amendment was not approved by EMTF; it may be considered by the Executive Board and/or General Assembly. Staff's opinion is that the white pages text is supplementary and explanatory material, which should be fully in harmony with the blue pages of policies and actions. Regarding the 6-month extension, see response to the Contra Costa County Board of Supervisors. Also, the General Assembly meeting is now scheduled for June 10, after which the plan can be revised and amended at any later date.

The plan as drafted does not recommend limiting the region's population. Considerable thought was given to population growth because it would be easier to solve environmental problems if no people migrated to the region. But there are no State or national policies on this matter, and there seems to be no acceptable means of dealing with growth on a regional basis. Efforts to control population movement in major urban areas around the world have not been particularly successful. The plan is structured to accommodate anticipated growth and at the same time meet existing Federal and State standards for air and water quality.

Flexibility in implementation is inherent in the Environmental Management Plan. As for loss of local autonomy, it is likely that Gilroy refers to the land use policies and actions, which were deleted from the draft plan by EMTF. Staff does not agree that regional adoption of these policies and actions would have resulted in any loss in local autonomy.

Regarding the first comment, see response to F. E. Wilts above. As for the second comment, see response to the Contra Costa County Board of Supervisors on this subject.

INDIVIDUAL/COMMENT:

William P. Braga, West Contra Costa Sanitary District

"...the Board is concerned that only a relatively short time has been made available to the public for their review and comments... the Sanitary Board requests that the ABAG General Assembly extend the time period for review and allow development of more complete comments."

Robert W. Quinlan for the City of Cupertino

"More thought is needed on the restrictions posed by air and water quality standards and their resulting impacts on energy and land consumption."

Contra Costa County Board of Supervisors

"...the Association of Bay Area Governments is advised that more local review time and a new, sequential, processing schedule are necessary for adequate local review of the proposed EMP..."

OCCUR and Bay Area Urban League Conference on ABAG EMP

"...ABAG (should) sponsor an on-going seminar for the community. We thought the best approach would be a series of meetings with a specific focus on limited topical issues of the EMP...We wanted to play a more active role in these crucial environmental plans."

James R. Osborn, Landal Institute

"We feel that the plan is generally good and represents a lot of work in various areas...Both the general intent and specific policies of the ABAG EMP would be enhanced by a more clearly defined agricultural element."

RESPONSE:

See responses to F. E. Wilts and the Contra Costa County Board of Supervisors on this subject.

If this is a suggestion for postponing decisions on the draft plan, see responses to F. E. Wilts and the Contra Costa County Board of Supervisors on this subject. Otherwise, energy considerations are included in the plan at appropriate points, and land use controls for air quality purposes have been deleted.

See responses to F. E. Wilts and a previous comment by the Contra Costa County Board of Supervisors on this subject.

ABAG has been conducting an active and extensive public participation program during development of the draft plan. Several meetings and public workshops have been held in each county for the express purpose of reaching the community and finding out more about such needs and concerns. This program is expected to be maintained during the continuing planning process of plan update and revision.

Agricultural considerations are found throughout the draft plan, particularly in the water supply element and the surface runoff portion of the water quality element.

INDIVIDUAL/COMMENT

Donald B. Gutoff, Marin County Comprehensive Planning Department

"Given the complexity of the EMP, there has been little time to review the document in a comprehensive manner and, therefore, we have necessarily focused on the highlights. Furthermore, it is extremely difficult to fully understand the financial impacts of the Plan to both public and private sectors. While cost figures are included in some program descriptions, other program descriptions such as the ones for land use management are vague at best on the topic of dollars...In a general sense, the EMP is wholly consistent with the goals and objectives of the Marin Countywide Plan. The EMP's emphasis on coordinated, integrated planning is in line with Marin Countywide Plan's goals for balanced transportation, clearly defined areas of growth and development, unpolluted air and streams and adequate water supply."

Robert J. Stephens for the City of Menlo Park

"...we would like to encourage stressing the use of advanced technology in improving the region's environmental quality...We have some difficulty understanding the difference between Federal laws and policies as it relates to actions that are recommended in the Plan that are or may be necessary to bring about compliance with these Federal laws/policies...Finally, but certainly not least important, is our concern regarding the costs involved. A more specific cost analysis, especially as it involves local governments, would be most helpful."

Bay Area Council

"The Council has concluded that more time and analysis is required to fully evaluate control options that may be necessary to attain standards."

Ferne Jensen

"I am concerned that the draft EMP does not take any position on population growth. This seems almost incredible when all the problems...with which the management plan is concerned are worsened by increasing population."

RESPONSE:

Costs for the land use policies and actions, which have since been deleted from the draft plan, were impossible to estimate until it was known which jurisdictions would apply them. This work was to be performed in the continuing planning process. Regarding the remainder of the comment, no response is needed.

Staff agrees with the first comment. As for the second comment, please refer to the "Legal Authority" and "Schedule for Action" columns of the light blue pages. They indicate what the Federal or State mandate is and whether or not the policy/action is already being carried out.

See response to F. E. Wilts on this matter.

See response to David Bruce.

INDIVIDUAL/COMMENT:

Velma Million, Mt. Hamilton Foothill Property Owners Association

"It is our opinion that the time allowed for the review of this plan is not sufficient for us to speak intelligently to its entirety. Therefore it is not our intent to present to you a completely negative review. We wish to impress upon you that we as citizens are concerned and it is our wish that we plan the future together and to keep the right to govern our destiny here at home."

Brian Kahn for the Sonoma County Board of Supervisors

"...the current time deadlines for adoption of the EMP are unworkable and must be extended. It is also the Board's strong sentiment that additional public hearings should be held throughout the area prior to formal consideration of the plan."

Canners League of California

"We support the cautious approach which has in many instances recommended further study before developing control strategies, especially when the current information is inadequate."

George R. Moscone for the City and County of San Francisco

"...I am perfectly willing to undertake this planning process, to subject this jurisdiction to the necessary controls, but only when the same is demanded of every other region of the State."

Novato City Council

"...the City of Novato expresses deep displeasure, as a member of ABAG, over the failure of ABAG to complete the draft EMP in time for adequate action by this city government and its residents."

RESPONSE:

As for the insufficiency of review time comment, see response to F. E. Wilts and the Contra Costa County Board of Supervisors. Otherwise, staff in general agrees that it is desirable to prevent the State and Federal governments from taking away matters of traditionally local prerogative.

See responses to F. E. Wilts and Contra Costa County Board of Supervisors above. In addition to ABAG-sponsored review sessions, many cities and counties are conducting their own as well.

No response needed.

Water quality planning under Public Law 92-500, Section 208, is being undertaken throughout the whole State of California, and in fact the entire United States. The water supply plan is unique but involves general common-sense cost-effective measures and those that would be carried out under otherwise existing programs. Solid waste planning on a regional basis is required by State law and will be carried out throughout California. Air quality planning for oxidant controls is required for all areas in the nation that do not attain Federal oxidant standards; similar control measures will likely be needed in many other metropolitan areas of the United States. In sum, the Bay Area is not unique in undertaking this process and considering these policies and actions for environmental improvement.

See response to F. E. Wilts and the Contra Costa County Board of Supervisors on this point.

INDIVIDUAL/COMMENT:

San Francisco Tomorrow

"San Francisco Tomorrow applauds the efforts of ABAG...if the plan is approved, although it should be enforced evenhandedly by ABAG and the other regional agencies charged with enforcement, each case before such agencies should be handled on its own merits, taking into consideration the unique characteristics of each affected area."

Richard Cole, Association of Environmental Professionals

"...not enough analysis has been done to justify some of the recommendations...Public understanding and decisions would be greatly enhanced if two summary tables were incorporated in the Introduction to the Plan, showing the Plan elements and their effectiveness, costs, and phasing...One table should address those elements unique to the proposed plan;...A second summary table should show the same information for the "no action" alternative...The intent of these tables is to show clearly the consequences of adopting or rejecting the Plan...We hope ABAG decides that the most effective measures get immediate attention, and that items such as the impact of energy limitations will be studied until the uncertainties are resolved and a realistic schedule can be developed...We urge that the schedule for adoption of the Plan be modified to allow adequate review by the general public..."

Wilfred W. Russell, California Institute of Public Transportation

"...we recommend and urge that action on the plan be taken in increments so that rational considerations may be possible under favorable conditions...The high cost of marginal benefits and duplications of existing governmental functions with reduced industry, lost jobs and regimentation proposed in the plan makes acceptance questionable."

RESPONSE:

Flexibility in implementation is inherent in the draft EMP.

The first point on the tables is useful, although all this information is quite readily available in the existing tables. Regarding the second point, energy considerations were discussed by EMTF and are reflected throughout the plan. These discussions will continue in the continuing planning process. As for the third point, see responses to F. E. Wilts and the Contra Costa County Board of Supervisors.

First point: Plan adoption proceeds in "increments" from a series of EMTF meetings to consideration by the ABAG Regional Planning Committee, the ABAG Executive Board and finally, for the initial plan, the ABAG General Assembly. Afterwards, the plan will be revised and updated on a regular basis. Second point: Staff disagrees with contentions contained in this comment. Control measures were selected for their cost-effectiveness so that Federal and State mandates could be met. If these standards are evenly implemented and enforced, the Bay Area should not experience lost industry and jobs, because other areas in the country will have to comply with the same standards. Finally, regimentation is simply not to be found in the draft plan.

INDIVIDUAL/COMMENT:

S. E. Epler, Fremont Chamber of Commerce

"...we must make certain that the total cost of doing business in California compares favorably with other states, especially those in the "sun belt." We feel the Plan does not explore sufficiently the possibilities of cooperation between communities and public agencies as opposed to accomplishing goals by imposing regulations from a broader-based and higher level of government. Unless there is some extremely urgent reason for doing so, we do not believe that the EMP should exceed the requirements of the Federal government...We feel very strongly that the general public and the business community, as well as other groups, have not had sufficient time to learn about the proposed EMP and develop the best possible responses to it...The Draft Plan is a massive one and we do not feel that it has adequately evaluated the effects it will have upon all aspects of the Bay Area."

Richard T. LaPointe for the City of Concord

"Many of us have become increasingly concerned with the lack of sufficient review time for a Plan which will have far-reaching effects upon our lives...It is not realistic, however, to think that two months is the kind of extension we need to give this Plan the scrutiny we are obligated to give it, as publicly elected officials."

Scott Lefaver, George S. Nolte and Associates

"Generally, we found (the EMP's) suggested policies and programs silent about rural areas, although a good 60% of the land within the Bay Area is considered non-urban/rural...In such an important document as the EMP, much more needs to be stated on the subject of rural lands."

David A. Fredrickson and Clyde E. Kuhn, Society for California Archaeology

"...we wish to express disappointment over the fact that the EMP for the San Francisco Bay Region fails to describe a regional approach toward meeting the standards of the National Historic Preservation Act of 1966, Executive Order 11593, May 13, 1971, "Protection and Enhancement of the Cultural Environment," and other State, local and Federal laws pertaining to historic, heritage and cultural preservation and planning."

RESPONSE:

Regarding the cost of doing business, see response to George Moscone on this point. Also, if Federal standards are evenhandedly implemented and enforced, the Bay Area should suffer no industry-jobs penalty because other areas will need to comply with the same requirements. Staff agrees that there is no need to exceed Federal requirements. As for time to review and comment, see responses to F. E. Wilts and the Contra Costa County Board of Supervisors about this.

See responses to F. E. Wilts and the Contra Costa County Board of Supervisors on this point.

See response to James R. Osborn about agricultural lands. In addition, ABAG's updated regional plan seeks to apply regional policy to rural conditions in appropriate "sub-regions" of the Bay Area.

Appropriate Federal and State laws as well as ABAG's contract with EPA do not identify the need for this Environmental Management Plan to consider the cultural environment, except insofar as it is affected by water quality, water supply, solid waste, and air quality control measures.

INDIVIDUAL/COMMENT:

Harry Seraydarian, U. S. Environmental Protection Agency

"The final EMP should contain specific recommendations for public participation during implementation and the Continuing Planning Process...The final EMP should summarize the results of the County public participation programs. An analysis of the effectiveness of local public participation programs and their future use should be presented...The use of information depositories both by ABAG and the Counties should be publicized more effectively during the approval period and in the CPP...The final EMP should reference material developed for baseline data and projections in Chapter II, page 5, and in Chapter VII. The final EMP should include a statement on page II-6 as to what will be done in the future on specific 201 projects regarding capacity determination. In the final EMP the recommendation tables should identify specific State or Federal programs under funding sources rather than refer to the State or Federal government in general."

Larry F. Walker, State Water Resources Control Board, and Fred H. Dierker, San Francisco Bay Regional Water Quality Control Board

"We have several general concerns with the EMP. Most are evident in the surface runoff element but also apply to many of the other policies and actions. Identification of management agencies for specific actions appear inadequate for designation by the State Board. There are no apparent commitments to implement actions by the identified management agencies. Many of the actions identified are not implementation actions but are actions for continuing planning. Sources of funding are not well defined. Time schedules for implementation are inadequate for tracking the progress of plan implementation."

David K. Gill, Santa Clara Valley Water District

"...Implementation of many of the recommendations should be delayed until the additional studies proposed in the "continuing planning process" progress to the point where sufficient information is available to make a rational decision."

RESPONSE:

All these are useful suggestions.

All these items will be the subject of further work during the continuing planning process. Regarding the third sentence, staff is unsure what inadequacies are referred to (other than surface runoff).

Staff is of the opinion that enough data and information are available to warrant intelligent decisions on these issues.

GENERAL COMMENTS ON THE EMP

March 8, 1978 to
March 31, 1978

GENERAL COMMENTS ON THE EMP NOT SPECIFIC TO MANAGEMENT PLANS

INDIVIDUAL/COMMENT:

RESPONSE:

Ad Hoc Group for a Bay Area Bioregional Plan:

We believe that the EMP should cover energy generation and use, land use, and restoration of watersheds, soils and native species... In land use, we suggest that sustained-yield agriculture take precedence over other types of development, and that there be differential taxation for farmland... In energy we would maximize use of non-fossil fuel alternatives and develop conservation programs. Reforestation, reintroduction of native species, watershed restoration, wastewater reclamation, soil maintenance, redesign of city centers, restoration of older buildings and neighborhoods and emphasis on locally produced goods are all components we would like to address in depth....

Curtis Gray, Richmond:

The draft EMP does not make any recommendations regarding population growth, and that is the most important thing that affects our environment. None of our problems can be solved until population growth is stopped! The plan should make this fact crystal clear. And we should call for a national policy aimed at stopping the population growth in United States.

Many of the subjects mentioned are covered in the water quality, water supply and air quality plans. Others are more appropriate to other parts of ABAG's planning programs.

The plan as drafted does not recommend limiting the region's population. Considerable thought was given to population growth because it would be easier to solve environmental problems if no people migrated to the region. But there are no State or national policies on this matter, and there seems to be no acceptable means of dealing with growth on a regional basis. Efforts to control population movement in major urban areas around the world have not been particularly successful. The plan is structured to accommodate anticipated growth and at the same time meet existing Federal and State standards for air and water quality.

GENERAL COMMENTS ON EMP NOT SPECIFIC TO MANAGEMENT PLANS

Individual/Comment:

Response:

Diane Dole, Oakland:

Population growth in this area is pressed up by many segments of the population....Population stabilization is a necessary course of planning that this area can and should have a regional policy for....Please in the plan include recommendations that would affect the total population and recommend a population total for the region.

See response to Curtis Gray.

Steven Lerman, San Francisco:

Plan should state that a slower or even no population growth will ease the problems of the Bay Area. Although ABAG cannot directly the bay Area's population growth, it can recommend no population growth for the country.

See response to Curtis Gray.

Bix E. Swain, Bay Area Chapter, ZPG:

It is extremely disconcerting to note that all of the efforts toward air quality, water quality, and sound land management are facing defeated with the projected minimum addition of 600,000 people by the year 2000...It is imperative tha that overpopulation problem be met headon. One realistic solution is to discourage people from moving to the Bay Area.

See response to Curtis Gray.

Julia Craig, Oakland:

I am concerned because the members of the EMTF have not taken any stand on population growth for the region. I believe the task force should take such a stand because the population of the reg strongly affects the quality of the environment.

See response to Curtis Gray.

GENERAL COMMENTS ON THE EMP NOT SPECIFIC TO MANAGEMENT PLANS

Individual/Comment:

Response:

Harriet Stinson, Hillsborough:

Please urge the EMTF to take a stand on population growth. It is obvious that smaller numbers of people are easier to plan for than larger numbers. Why has the group avoided such a stand?

See response to Curtis Gray.

Kitt Dyer, San Francisco:

In the draft EMP you have managed to avoid any mention of population growth as a factor in environmental problems. That is certainly short-sighted and ignores the single most important factor in potential control over such maladies as water pollution, air pollution and solid waste for future Bay Area residents. ...Your EMP is a bold step forward, but it is unrealistic as long as it does not confront the population numbers issue.

See response to Curtis Gray.

J.D. Furber, San Francisco:

Why has EMTF avoided taking a stand on population growth? We believe that overpopulation is the greastest for the whole world today and for the future, and we know that SF or the Bay Area cannot stop it, we can help a little bit if we take a ZPG stand whenever possible.

See response to Curtis Gray.

Napa Chamber of Commerce:

Opposes time limits for review of the plan.

Plan is required to be submitted by Federal law. Major recommendations first released in September 1977. Plan not acted upon by ABAG General Assembly until June.

GENERAL COMMENTS ON THE EMP NOT SPECIFIC TO MANAGEMENT PLANS

Individual/Comment:

Response:

Dr. Henry Mayer, Redwood City:

I am writing to ask that you take a more forceful position on population in the EMP. Your draft admits that a lower population would make environmental problems easier to solve, but you do not take a stand or even make a recommendation on population.

See response to Curtis Gray.

Beth C. Snyder, Redwood City:

As a resident of San Mateo County I wish to express my support for the proposed EMP. The eventual correction of the environmental hazards we face will come with the realization that ecological problems and solutions do not exist separate and isolated but in a state of relationship and inter-dependence....

None needed.

City of Fairfield: ABAG should allow a minimum of an additional six months for citizens and public agencies to review the plan and make comments regarding its implications and impacts of implementation.

The Executive Board has allowed an additional two months for review and approval of the plan. Longer time could not be allowed because of the Federal deadline for approval of a 208 plan and submittal to EPA.

Stephen J. Walsh, M.D., San Francisco:
I've been reading of the EMP and of pressures by selfish business interests fearful of "scaring away" industry with strict land use and auto-use controls. We need less industry in our badly polluted and congested Bay Area. Please don't relax strict standards needed to once again make our environmental livable.

None needed.

GENERAL COMMENTS ON THE EMP NOT SPECIFIC TO MANAGEMENT PLANS

Individual/Comment:

Response:

Sidney Lorvan, Mayor, City of Pacifica:

We understand there are some questions from the Executive Board about the purpose of inviting Congressman Leo Ryan's subcommittee to hold hearings on environmental legislation in the Bay Area...I believe there are fundamental needs critical examination of federal environmental legislation and the implementation of the legislation....

Executive Board has invited Congressman Ryan to hold hearings on Federal environmental legislation. Whether such hearings are held is up to Congressman Ryan.

James Golser, San Carlos:

I believe the EMP does not face honestly and squarely the bad effects that rapid population growth has, and does not propose any way of limiting population growth. Major additions to our population come illegally from Mexico every year, and this creates big problems for the Bay Area. The cost of absorbing this population increase is enormous. Since this immigration is illegal, why does ABAG not make provision for coordinated efforts to stop this yearly illegal addition to our population? The federal and state governments are not coping with the problem. So the Bay Area must act to protect itself. At the very least, ABAG should include in the EMP some estimate of the population growth due to illegal Mexican immigration and propose measures to shut down this immigration.

See response to Curtis Gray. The EMTF has recommended a study of the effects of illegal immigration on environmental quality for the continuing planning process.

Pittsburg Chamber of Commerce: Plan should be studied for two years before approval.

Such action is not permitted by Federal law.

GENERAL COMMENTS ON THE EMP NOT SPECIFIC TO MANAGEMENT PLANS

Individual/Comment:

Response:

John B. Lambert, Modern Transit Society:

Program is modest one...One factor which is not properly treated in the report is the large number of jobs which would be created by the pollution control work. Pages 24-25 state Federal studies have shown that pollution control increases employment. However, you show a decrease in jobs if the environment is management. This must be an error. Jobs would increase....

Part of the estimated decrease in employment was for industry affected by new source review in the Bay Area and nowhere else. The exact employment affects are not expected to be significantly different with and without the plan.

Marin County Board of Supervisors:

Board demands an absolute minimum time extension of one year and preferably two-year extension.

Such extensions cannot be granted by ABAG; they are not permitted by Federal law or ABAG's contract with the State and EPA;

Alameda County Environmental Management
Citizens Advisory Committee:

EMTF should seek an extension of time to September 1978 to review EMP.

See response to Marin County Board of Supervisors.

City of Santa Rosa:

The City Council believes the plan to be improved dramatically by a number of important modifications and/or deletions. It is currently our position to support the EMP as revised....

None needed.

City of Novato:

The city expresses deep displeasure over the failure of ABAG to complete the draft EMP in time for adequate action by this city government.

See response to Napa Chamber of Commerce.

COMMENTS ON THE EMP NOT SPECIFIC TO MANAGEMENT PLANS

Individual/Comment:

Response:

New Oakland Committee:

The committee "goes on record as opposing the EMTF plan of ABAG, as currently proposed, but we fully support environmental gain without economic or social detriment."

Letter was received before EMTF adopted its recommended plan; difficult to have environmental gain without some economic expense; question is whether that is interpreted as detriment.

City of San Bruno:

Accepts EMP only insofar as as do not adversely affect the quality of life in San Bruno; only insofar as they are consistent with the policies of the General Plan; reaffirms its commitment to population and zoning densities of the general pln; accepts recommendations only insofar as implementation is governed by the principle of local control and is phased to minimize inconvenience to San Bruno residents; demands that the Federal government reimburse city for adverse economic impacts of the plan.

It will be up to the General Assembly delegate from San Bruno to make these judgments; they are not specific to the recommendations of the plan.

Downtown Association of San Francisco:

The Downtown Association supports the revised version of the plan as adopted by the EMTF...In the early stages we were concerned about some of the transportation controls; these have been eliminated and thus that section is agreeable to us....We support the plan and offer our assistance to see that it is implemented after it is adopted by the General Assembly in June.

None needed.

COMMENTS ON THE EMP NOT SPECIFIC TO MANAGEMENT PLANS

Individual/Comment:

Concerned Taxpayers Group of Antioch:

We oppose the ABAG management plan...as unworkable, unjust and unamerican....We oppose the section that says more and more monies to protect the air qualify for the minority groups and for low & moderate income people...Isn't clean air and clean water an American right for everybody? When you mention special privileges for a special group, you are discriminating against the rest of society. We also oppose the compact development in land use policies forcing everybody to touch elbows. We are also against the power that this plan gives to various committees to enforce the plan making this plan another huge governmental bureaucracy....We protest the whole monstrosity ABAG plan.

Benicia Chamber of Commerce:

We ask that ABAG not approve and implement the EMP; plan is expensive and there are many duplications of agencies already in existence. Timing has not allowed those affected to appraise the situation in total; plan could greatly affect our Benicia Industrial Park. Future expansions could be denied resulting in job loss.

Regional Citizens Forum:

Protest time schedule and availability of the plan; asks that plan be made available at no charge; asks for an extension of time; asks that ABAG loosen rules so that where 20 or more citizens submit an amendment, the General Assembly would consider it.

Response:

EMTF disagrees; no new regulatory agencies are proposed in the plan; clean air and clean water are mandated by Congress; difficult to see how that is un-American; special mitigation measures were proposed in the plan to minimize adverse effects of plan on low and moderate income residents and minorities; one consequence of government action through current regulatory system for environmental management is that poor and minorities are often disproportionately affected by the cost of actions taken to clean up the air and water for everybody.

Plan is required by Federal law; it is expensive because it reflects existing as well as new programs; no new agencies are proposed in the plan; current rules for new source review could affect plant expansions; without an approved air quality plan no expansions of major stationary sources can be approved.

Time schedule was modified to the extent allowed by Federal law and ABAG's contract; plan is available in at least one public library in each county, as well as at city halls; General Assembly will have summary of all comments and amendments recommended by all persons through March 31, 1978.

COMMENTS ON EMP NOT SPECIFIC TO MANAGEMENT PLANS

Individual/Comment:

Dale Marr, Business Manager, Operating Engineers
Local Union No. 3, San Francisco:

Break the plan into parts for individual study and action. Indicate which elements are legally required and which are optional. Stress economic, social and institutional assessment in the next phase.

Have the ABAG staff rededicate itself to representing the people of the Bay Area and stop representing their own interests, the interests of EPA, the State ARB or any narrow clique.

If federal laws, standards or timetables are too tough, let's start saying so such tht we might petition Congress for needed changes.

We need an ABAG or its equivalent to protect us from heavy-handed laws, regulations and administrative extensions thereof. We hope that ABAG will rise to the occasion.

Response:

All parts of the plan are required by ABAG's contract with the State of California and EPA; water quality plan is required by Sec. 208 of the Federal Water Pollution Control Act Amendments of 1972; solid waste plan is required by Sec. 208 and Chapter 689 of the Statutes of 1977, California Legislature. The air quality plan is required by the Clean Air Act of 1970 and a similar plan is required by the 1977 Clean Air Act Amendments. Economic, social and institutional assessment would continue to be stressed in the continuing planning process.

The ABAG staff tries to represent the interests of the local governments who own and operate ABAG; obviously how well it does so is a matter of opinion depending on one's point of view. Certainly it is unfair to say that ABAG staff does not represent the people of the Bay Area; its staff does not live outside the region; many pay substantial local taxes; staff has many diverse interests and professional opinions that are presented to policy makers for resolution.

Don't know if these are "too tough" without going through the process.

Whether ABAG rises to the occasion or not, the confidence expressed is appreciated; although ABAG's ability to "protect" is probably exaggerated.

COMMENTS ON EMP NOT SPECIFIC TO MANAGEMENT PLANS

Individual/Comment:

Response:

Associated Building Industry (cont.):

Any policy arbitrarily limiting today's growth needs would almost certainly have the following adverse effects:

- supply of housing would be reduced.
- thousands of jobs would be lost in the construction industry and supporting service
- commercial and retail business activity would be similarly affected.
- housing costs would inflate at even faster rates, thus the availability of affordable housing for the young and elderly would be further reduced.
- insufficient sewer treatment capacities will cause increased water pollution
- land use controls and indirect source review are ineffective as methods of controlling air pollution.

Policies and actions in the draft plan and EMTF recommended plan are not arbitrary. They were carefully designed to meet specific environmental objectives. Adverse social and economic impacts are acknowledged; other policies of ABAG regional planning program are designed to minimize conflicts and to resolve others through consistency requirements.

Recommends limiting ABAG to forum for discussion with planning and implementation to be carried out by existing local government.

ABAG is already a planning agency; forums for discussion inevitably lead to State-created regulatory agencies, as ABI surely knows, when problems are perceived by the Legislature to be so severe that something has to be done: witness creation of RWQCB, BAAPCD, Golden Gate Bridge District, MTC, BCDC, Coastal Commissions and other agencies.

Further time should be allowed for assessment of the impacts.

Further time is allowed for assessment, because plan is to be updated annually, including assessment of impacts.

Land use controls should be deleted from the proposed plan, including the continuing planning projects or EMP addendum.

See response to San Mateo County Central Labor Council under AQMP General Policy IV.

COMMENTS ON EMP NOT SPECIFIC TO MANAGEMENT PLANS

Individual/Comment:

City of Half Moon Bay:

Requests that an absolute minimum of one year and possibly a two-year extension be granted before attempting to adopt the EMP...In addition we would urge the Association to consider the difference between the quasi-rural mid-coastside area of San Mateo County as compared to the rest of the San Francisco Bay Region and make adjustments in the plan accordingly.

Associated Building Industry of Northern California:

We are especially alarmed by the plan's devastating effect on the traditional prerogatives and powers of local government through the inclusion of land use controls. There are legal uncertainties even if these land use controls are including in the continuing planning process or the EMP Addendum.

Object to insufficient amount of time that is allowed to comprehend and assess the consequences of the social, economic and governmental impacts of the plan. The necessary time for review must be provided.

The EMP does not balance environmental concerns with social and economic needs.

EMP preparation and approval process is not accountable to the electorate.

Response:

Extension is not permitted by Federal law; difficult to make adjustments in the plan to reflect quasi-rural midcoastside differences with rest of region without any specific suggestions.

Difficult to see any devastating effects on local government since plan as recommended by EMTF does not propose that local governments radically depart from their present practices. Only legal uncertainty regarding land use measures is whether any sanctions can be applied merely because the measures are proposed for further study.

Schedule is required by Federal law; difficult to understand ABI's lack of knowledge since it has been represented on the task force since that body's formation in December 1975.

Goal of EMP only says that social and economic effects should not be so serious as to prevent implementation; ABI identifies no effect so serious that implementation would be prevented.

This is correct; is ABI proposing directly elected regional government? Surely ABI knows of the failure of the legislature in recent years to address the question of regional reorganization; ABAG has since 1971 supported multipurpose regional planning agency; ABAG supported bills with a half directly elected board.

COMMENTS ON THE EMP NOT SPECIFIC TO MANAGEMENT PLANS

Individual/Comment:

Response:

ABI (cont.):

A full cost/benefit analysis should be conducted for each proposed recommendation of the EMP.

We disagree. This general comment is like saying that a full cost/benefit analysis should be conducted before a single 2X4 is used in that construction of a house. Assessment of costs and benefits has been done to the maximum extent possible within the constraints of the budget and the time schedule; further assessment will be part of the continuing planning process.

Governor's Office of Planning and Research:

Letter is to certify that review of the draft plan and environmental impact report is complete. Overall, ABAG has successfully attempted to develop a comprehensive environmental planning process....We encourage ABAG to go further in developing and strengthening planning coordination in these areas in the future.

None needed.

State Office of Economic Opportunity:

The draft plan is a monumental piece of work of such scope and technical detail as to be nearly impossible to analyze. Our comments will be limited to the general approach used. Underlying logic of the plan is turned backwards; policies deal with physical questions as ends in themselves and then measure their social and economic impacts...While this reorganization of the train of logic would probably have little impact on the actions recommended, we believe it would be a valuable way to achieve public understanding. We recognize this is beyond ABAG's ability to change.

We don't disagree with any of these comments.

GENERAL COMMENTS ON EMP NOT SPECIFIC TO MANAGEMENT PLANS

Individual/Comment:

Response:

State Office of Economic Opportunity (cont.):

...Actions need to be included for public participation.

This has been recommened by RPC in its continuing planning process.

The Reclamation Board, Department of Water Resources, State of California:

We have reviewed this document in light of our authorities and expertise and believe it is a fantastic document in that it has looked at and balanced the many factors involved in achieving an integrated regional plan....it is a job well done.

None needed.

Bay Area Planning Directors Association:

BAPDA supports the concept of an environmental quality element in the Bay Area Regional Plan. However, the BAPDA believes that ABAG should clarify the relationships between the Regional Plan and the EMP. The BAPDA further recommends that land use, regional growth and development policies should be eliminated from the EMP and considered in the ABAG Regional Plan. This position is a reaffirmation of the principle that land use and growth matters need to be considered in a comprehensive frame of reference, along with transportation, public facilities and housing.

The EMP will be part of the Regional Plan; thus it is difficult to figure out what is meant by the statement "land use, regional growth and development policies should be eliminated from the EMP and considered in the ABAG Regional Plan." In addition, regional growth trends must be related to projections of emissions in the air quality plan; compact growth actions have been deferred by EMTF for further study in the CPP if no sanctions can be applied to the region merely because such measures are identified for further study.

EMP indicates its land use and development projections are based on city and county policies. The BAPDA is concerned that the plan's survey of local policies was primarily

GENERAL COMMENTS ON EMP NOT SPECIFIC TO MANAGEMENT PLANS

Individual/Comment:

Response:

Bay Area Planning Directors Association (cont.):

a survey of local ordinances. not local plan policies and therefore does not properly represent local growth and development expectations. An accurate reading of local policies should be performed in conjunction with the next Regional Plan update.

Are the planning directors saying that local government ordinances do not properly reflect general plans? If so, an accurate reading of local policies for the next Regional Plan update would be meaningless. It's like saying "look what we say, not what we do."

San Francisco City Planning Commission:

The commission has urged the Mayor, Board of Supervisors and all city and county representatives to ABAG to seek adopted of the EMP as submitted to the ABAG Executive Board.

None needed.

WATER QUALITY PLAN COMMENTS

January 3, 1978 to
March 8, 1978

WATER QUALITY POLICIES AND ACTIONS - COMMENTS NOT SPECIFIC TO POLICIES OR ACTIONS

Individual/Comment:

City of Milpitas: "We have no serious objections to the water quality element."

Town of Los Gatos: "No significant disagreement was found with the recommendations in this section of the Plan with the exception of a general comment that the proposed financing procedures are not acceptable. In particular, the suggestion of relying on the property tax to finance needed quality control measures is not acceptable... alternate financing arrangements must be sought."

Castro Valley Sanitary District:

Endorses East Bay Dischargers Authority review of EMP. Urges that "Established sub-regional wastewater agencies should be designated as the agencies responsible for implementing the wastewater management plan."

F.E. Wilts, San Leandro Manufacturer's Association: "I would reduce by 50% the \$2.3 million per year for monitoring programs outlined."

"I would reduce the projected \$127.2 million per year for administrative expenses by 50%. \$0.80 is projected for administration for every \$1.00 of capital spending."

"Increase significantly the funds projected for public information/education. \$20,500 per year out of a \$288 million per year program is insufficient."

ABAG Staff Response:

Most of the recommended actions that involve capital investment would be funded by user changes.

Subregional wastewater agencies are so designated in the plan.

Between \$200 and \$250 million per year is expected to be spent building and operating wastewater facilities. We believe the recommendations expenditure on monitoring is justified.

Administrative actions requiring this level of funding are not recommended.

This total is the estimated cost of carrying out Actions 8.15 and 10.3.

Individual/Comment:

ABAG Staff Response:

Santa Clara County Board of Supervisors

Santa Clara County Planning Policy
Committee:

South Santa Clara County should not be subject to control measures for San Francisco Bay, and the plan should be amended to acknowledge that South Santa Clara County drains into Monterey Bay and should therefore be subject to measures that improve the water quality of Monterey Bay.

Agree

Santa Clara County Planning Policy
Committee:

PPC endorses technical advisory committee comments on water quality management plan. (Note: These comments are covered under individual policies and actions.)

Santa Clara County TAC for the
WQ Management Plan: "It is felt that the Regional Water Quality Control Board is the appropriate agency to implement nearly all of the actions....ABAG's role as a coordinator of planning is appropriate and can be accomplished with current staff."

None of the plan recommendations envisage a regulatory role for ABAG in water quality management.

The word "pollutant" should be changed to "contaminant," unless the contaminant has been proved to have an adverse effect.

Webster indicates the two words share the meaning "to make impure or unclean." Any differences in meaning are subtle. The terms have been used interchangeably in the EMP.

City of Santa Clara: Endorses TAC comments (above) and specific recommendations of the TAC for Water Quality (indicated under each policy).

I) Individual/Comment:

ABAG Staff Response:

Council of Bay Area Conservation
Districts:

Concerned with lack of emphasis on non-point pollution.

SPUR

Recommends that the plan specifically consider the merits of requiring the other eight counties to implement more through surface runoff controls and exempting San Francisco from being required to dump all of its treated effluent in the ocean.

Terry Margerum, Consultant

A study should be undertaken to identify water quality problems that might arise in the event of an earthquake.

Chevron USA, Inc.

There is no adequate justification for adding ABAG as an implementing agency into an already effective system. Except for Policy 1, no actions appear to be new and they would add costs, delays, and another layer of approval requirements.

Robert W. Quinlan, City Manager,
Cupertino

The city supports all of the Policies and Actions except as noted.

James R. Osborn, Landal Institute Land
Use Research

General Comment "...a system which includes agriculture in the urban waste cycle will contribute in major ways to a healthier environment. Urban sewage, after primary treatment only, can be used to grow feed for livestock. Primary treatment requires treatment about

Surface runoff programs comprised a major portion of water quality work undertaken.

Because San Francisco has a combined sewer collection system its runoff caused problem is more severe than the other counties. More stringent control of surface runoff in other counties would not obviate the need for action by San Francisco.

This could be examined in the CPP.

We disagree.

None needed.

None needed.

Individual/Comment:

ABAG Staff Response:

James R. Osborn, Landal Institute Land
Use Research - Continued

1/4 the energy as complete, through tertiary, treatment...The cost and energy effectiveness of such reclamation and use of agriculture to short-cut sewage treatment will depend on keeping agricultural land near sewage plants. Two of the recommendations of the EMP will work against the agricultural alternative in waste treatment. The first is the recommendation to study large-scale reclamation of Bay Area wastewater for Central Valley use...The second EMP recommendation which works against the agricultural alternative is the policy to generally encourage consolidation of sewage treatment facilities...A further consideration for sewage planning is that the inclusion of commercial aquaculture in sewage treatment systems has become both technically and economically feasible, and would bring about considerable energy savings. The EMP should encourage exploration of this alternative..."

San Francisco Bay Conservation and
Development Commission

The draft EMTF plan involving BCDC in a number of recommendations (other than oil and chemical spills) are acceptable to BCDC.

Association of Environmental Professionals

The Plan should indicate whether the proposed control measures, individually and in the aggregate, would be effective in meeting objectives of the RWQCB.

The Water Quality Plan should provide method to test compliance with the Plan for A-95 review process.

Presumably it would be if the SWRCB/RWQCB adopt the plan.

Individual/Comment:

Gary C. Chase, Town Manager, Moraga

Plan should emphasize authority and responsibility of local government. Delete all references to direct implementation management role of ABAG.

City of Newark:

Only plan recommendation tables should be considered formal section of the plan. All other sections shall be considered commentary and shall have no legal or interpretive authority.

Harry Seraydarian, EPA:

No policy or action items are in the WQMP for dredging even though recommendations are stated in Tech Memo 24. Include the effect of the 1977 amendments on dredging and state regulatory program.

ABAG Staff Response:

The appropriate implementation agency should be evaluated on a case-by-case basis.

This will be up to the Executive Board.

Policies 1, 8 and 9 provide the implementation of the dredging recommendations.

WQ POLICY 1: IMPROVE UNDERSTANDING OF BAY SYSTEM AND THE FATE AND EFFECTS
POLLUTANTS ENTERING IT.

Individual/Comment:

ABAG Staff Response:

East Bay Municipal Utility District: Amend Action 1.1 to read: "Establish 'Investigate need for and feasibility of establishing San Francisco Bay Delta Research Program (SFBDRP)'.

Disagree.

Under general description, add text "Fully explore the coordination of laboratory and field work presently performed by the dischargers."

This could be done.

Under general description for Actions 1.2 through 1.7 add "Implementation depends on results of Action 1.1." Under schedule of action, add "Schedule depends on results of Action 1.1."

San Mateo County Board of Supervisors

San Mateo County Council of Mayors

Change implementing agency for Action 1.1 from "ABAG in consultation with all affected parties" to State Water Resources Control Board.

It is not clear from the recommendation whether any other agencies--such as RWQCB, ABAG or cities and counties--would be involved in the decision to establish this program.

Add Local agencies to implementing agencies for Actions 1.2 and 1.3.

Local agencies would be participants in SFBDRP.

Amend Action 1.4 to read "Establish regionwide monitoring program to coordinate existing monitoring program.

Existing monitoring programs do not attempt to measure the effects of waste discharge on the Bay as a whole. Existing programs would be modified to fit into a regionally coordinated program.

Surface runoff plans for Alameda, Contra Costa, Napa, San Mateo, Santa Clara, Solano and Sonoma all call for additional monitoring for surface runoff.

Individual/Comment:

ABAG Staff Response:

San Mateo County Board of Supervisors

San Mateo County Council of Mayors -
Continued

Delete Action 1.5.

Supports Action 1.6.

Substitute RWQCB for ABAG as implementing agency for Action 1.7.

ABAG already maintains computerized files of environmental information included BASIS, "Bay Area Spatial Information." If the RWQCB established a separate system it would be unnecessary duplication of effort. The files are readily accessible to users.

Santa Clara County PPC

In actions 1.1 and 1.7, "unless adequate justification can be provided for assigning these responsibilities to ABAG, the more appropriate agency to perform these functions would be the RWQCB."

The plan recommends that ABAG assist the RWQCB in establishing SFBDRP. The members of SFBDRP (local agencies & RWQCB) acting together would be responsible for Actions 1.2 through 1.6. See comment above regarding Action 1.7.

Santa Clara County TAC: Support the Action 11.1 but question why plan proposes ABAG and not RWQCB have auspices over program.

See response to Santa Clara County PPC.

Support Actions 1.2 through 1.6.

RWQCB should be implementing agency rather than ABAG for Action 1.7.

See response to San Mateo County Council of Mayors.

City of Santa Clara: Endorses TAC recommendation.

League of Women Voters of the Bay Area: "We support the establishment of a San Francisco Bay-Delta Research Program which would give a data base on the state of the Bay. Such factual information is needed to make intelligent decisions."

Individual/Comment:

League of Women Voters of the Bay Area - Continued

On Action 1.6, is a \$32,000/year report necessary? Instead of publishing an expensive report, make the information available to the media or explain why a report is needed.

Contra Costa County Board of Supervisors

Policy 1. Amend policy to read "Improve understanding of the Bay Delta Estuarine System and the Effects of Possible Pollutants Entering It, Through Monitoring and Research."

Action 1.1 Amend to read "Support a San Francisco Bay Delta Research Program."

Actions 1.2 and 1.3. Delete

Action 1.4. Amend to indicate RWQCB as implementing agency.

Action 1.6. Delete

Action 1.7. Amend to read "Establish Bay Delta Water Quality Data Management System" and to designate State and Regional Boards as implementing agencies.

Associated Building Industry

Policy 1. Amend to read "Continue to understand the Bay System pursuant to the responsibilities of the SWRCB."

Actions 1.1 through 1.7. Delete

ABAG Staff Response:

Some effort is necessary to compile data and interpret its meaning for a general non-technical leadership. The goal is to make the information more accessible to public.

Agree in part. Don't see the need to be so specific about monitoring and research.

Would not ensure creation of program.

We believe it is desirable to retain specific mention of these actions.

RWQCB is already listed as an implementing agency.

It may be desirable to include all waters in the region in data management system. Also see response to San Mateo County Council of Mayors.

Too vague--implies no need for change. If we don't gather more information on pollutant effects the region could be subject to relatively arbitrary regulation.

Individual/Comment:

Supervisor Arnold Baptiste, Marin County

Policy 1. Adopt

Actions 1.1 through 1.7. Adopt

Chevron USA, Inc.

Actions 1.1 through 1.7. It is very unrealistic to assume availability of Federal and State grants for next 22 years.

Santa Clara County Board of Supervisors

Action 1.1 and 1.7. Support program but question why it is set up under auspices of ABAG rather than the RWQCB.

Support Actions 1.2 through 1.6.

Rossmoor Residents Association, Inc.

Delete Action 1.1 and replace it with support for the State Bay program now in preparation.

Delete Actions 1.2 through 1.6.

Delete Action 1.7. This can be performed by SWRCB and RWQCB.

Bay Area League of Industrial Association

Amend Policy 1 to read "Continue the existing investigations in understanding the Bay System and the fate and effects of pollutants entering it." SFBDRP would largely duplicate programs of existing agencies.

Action 1.5. Dischargers would likely continue their monitoring programs as required by discharge permits. SFBDRP would duplicate effort.

ABAG Staff Response:

Federal and State grants are available for these types of actions under existing programs. We agree that future availability of Federal funds cannot be guaranteed.

See response to Santa Clara County PPC.

The State program may not be implemented. It lacks the coordinated centralization of discharger monitoring and does not propose central organization to undertake special studies.

See response to San Mateo County Board of Supervisors.

A major funding of our Special Studies program was that existing programs did not provide essential information on the effects of pollutants.

SFBDRP would not duplicate effort. It would provide a monitoring service to dischargers.

Individual/Comment:

Bay Area League of Industrial Association - Continued

Action 1.6. Preparation of annual state-of-waters report is a duplication and unnecessary "make work" program.

Action 1.7. ABAG fails to establish benefits. We question the quality of this program for the extremely modest cost. EPA and State grants will not be available on a continuing basis for programs of this nature.

Robert W. Quinlan, City Manager,
Cupertino

Action 1.1. Provide clear rationale for ABAG as lead agency rather than RWQCB.

State Water Resources Control Board

Regional Water Quality Control Board
(Preliminary staff comments)

Policy 1. Agree with policy statement. Do not believe there is a need for a new independent research organization. Recommend formation of San Francisco Bay Delta Research Council a group of noted engineers and biologists as an advisory body to RWQCB.

San Francisco Tomorrow

Action 1.1. Define "fees from dischargers" so that water users will not unilaterally bear the costs.

City of Oakland staff:
Substitute RWQCB for SFBDRP.
Note that dischargers fees will be passed on to public.

Santa Clara Valley Water District staff:

Support actions 1.1 and 1.7 but substitute RWQCB for SFBDRP.

ABAG Staff Response:

There presently is no comprehensive compilation of monitoring data readily available to public and elected officials.

Direct benefits would accrue to researchers, regulatory agencies and elected officials. ABAG's existing computerized environmental files can be expanded at modest cost.

See response to Santa Clara County PPC.

No existing organization can undertake both research and monitoring.

Non-profit dischargers will apportion costs among customers. Presumably, all citizens would receive benefits of program.

See response to Santa Clara County PPC and San Francisco Tomorrow.

See response to Santa Clara County PPC

WQ Policy 2: ESTABLISH CONTINUING PLANNING PROCESS FOR WATER QUALITY MANAGEMENT.

Individual/Comment:

San Mateo County Council of Mayors

Amend Action 2.4 to read: "Update water quality management plan in conformance with other water quality environmental goals."

Santa Clara TAC

Action 2.1 should be clarified. On Page 111-126 of Section H, the first sentence under the heading Water Quality Objectives states that the water quality objectives as originally published in the Basin Plan are superceded. Those water quality objectives should not be changed without proper public hearing process. Therefore the wording throughout Section H should be revised to agree with the Basin Plan. Implementing agency should primarily be RWQCB.

Support Action 2.2, but ask why standards only apply to winter outflow. Shouldn't there be standards year round? Does this affect the peripheral canal system? How were the standards arrived at, and are all the affected agencies in agreement?

Support Action 2.3.

ABAG Staff Response:

Action 2.4 as drafted is intended to ensure consistency of air, water and solid waste plans at the regional level. Amendments as recommended would remove the consistency requirement, and would encourage inconsistent actions on the part of State agencies such as the ARB and SWRCB on sewage treatment grant conditions for air quality mitigation.

The TAC statement is incorrect. The sentence in question on Page 111-126 of Volume I of the Draft EMP reads, in part, "The water quality objectives which follow supercede and replace those contained in the 'Interim (emphasis added) Water Quality Control Plan for the San Francisco Bay Basin' (as updated..." Section H contains beneficial uses and water quality objectives directly from the current Basin Plan. The action is to reaffirm existing objectives, which would not be changed without a hearing by the RWQCB. In addition, the ABAG General Assembly and Executive Board are conducting public hearings on the draft plan that contain those objectives.

Water quality standards that apply to the delta year round will be proposed by the State Water Resources Control Board shortly. The peripheral canal will have to be operated in a manner that allows compliance with the standards.

None needed.

Individual/Comment:

Santa Clara TAC - Continued

Support Action 2.4, but it is unclear as to the significance of the phrase "...in conformance with other environmental goals." The implementing agency should be EMTF instead of ABAG.

City of Santa Clara

Endorses TAC recommendations.

League of Women Voters of Bay Area

Action 2.1. Is reaffirmation of WQ objectives necessary.

Action 2.2. Excellent, should be tied in with State legislation.

Contra Costa County Board of Supervisors

Policy 2. Add to policy "...in conformance with State procedures."

Action 2.1. Amend to read "Reaffirm Water Quality Objectives for the Waters of the Region." Alter schedule to coincide with initial approval of "208" plan. Replace ABAG as implementing agency with RWQCB.

Action 2.2. Amend general description to include a different suggestion for winter time delta standards.

Action 2.3. Amend schedule to be consistent with the availability of State guidelines.

ABAG Staff Response:

Intent to the phase is to ensure consistency among air, water and solid waste goals. The EMP as drafted is intended to be consistent, although as noted below under Policy II one inconsistency needs to be clarified.

Regarding the last comment, it should be noted that EMTF is part of ABAG, not a separate agency. Without ABAG, there would have been no EMTF. Without a parent body designated to receive funds, EMTF as presently constituted could not continue to function.

Not required by law but necessary if existing WQ standards are to become a part of the EMP.

SB 346 included guarantees that delta standards would be met.

No procedure has been established by the State. Also has to conform to FWPCA and EPA guidelines.

The action is stated in this way. The schedule will be altered as suggested. The RWQCB has already adopted the objectives.

We are considering the alternative suggestion.

See response to same commentor on Policy 2.

Individual/Comment:

Action 2.4. Amend to read "Amend and Update the Water Quality Management as warranted by new information."
Delete ABAG as implementing agency.

Associated Building Industry

Policy 2. Amend to read "Continue the planning process for water quality management as performed by SWRCB.

Actions 2.1 through 2.4. Delete

Supervisor Arnold Baptiste, Marin County

Policy 2. Adopt

Actions 2.1, 2.2 and 2.3. Adopt

Action 2.4. Amend to read "...in conformance with water quality environmental goals as new and conclusive data becomes available."

Chevron USA, Inc.

Action 2.2. Establishment of interim Delta outflow standards is unrealistic because it hasn't been successfully accomplished in the past.

Santa Clara County Board of Supervisors

Action 2.1. See comment of Santa Clara TAC.

Support Action 2.2. See comment of Santa Clara TAC.

Support Action 2.3.

Support Action 2.4. See comment of Santa Clara TAC.

ABAG Staff Response:

The proposed wording does not allow for integration of various plan elements. ABAG is and expects to remain the designated "208" planning agency. The 208 agency is legally obliged to update the plan.

The "208" planning process shows no signs of disappearing. Changes in present practices must be made to accommodate it and its needs.

The EMP must maintain consistency among all environmental elements, not just water. Sufficient justification may become available without ever becoming conclusive data.

The EMP provides unique political cooperation and new technical data.

See response to Santa Clara TAC.

See response to Santa Clara TAC.

See response to Santa Clara TAC.

Individual/Comment:

ABAG Staff Response:

San Mateo County Board of Supervisors

Support Policy 2.

Support Actions 2.1, 2.2 and 2.3.

Action 2.4. Modify. See comment of San Mateo County Council of Mayors.

See response to San Mateo County Council of Mayors.

Rossmoor Residents Association, Inc.

Policy 2. ABAG should be required to list items of continuing planning required by Federal law or found to be needed as a result of this planning process.

That is what the proposed EMP contains.

Delete Actions 2.1 and 2.4.

Support Action 2.2.

Agree with County recommendations on Action 2.3.

Refer to Contra Costa County recommendations.

Bay Area League of Industrial Association

Amend Policy 2 to read "Continue the planning process for water quality management by the SWRCB."

See response to Associated Building Industry.

Delete Action 2.2. It is premature and presumptuous and unsupported.

It is interim and supported by ABAG's Delta Outflow Study.

Delete Actions 2.3 and 2.4.

Louisa Jaskulski, Political Action Coalition for the Environment

Supports protection of Delta outflow to minimize pollutant damage from surface runoff.

It is likely that reduced Delta outflow may still carry some total pollutants into the Bay.

Robert W. Quinlan, City Manager, Cupertino

Action 2.2. Delta outflow standards should be interim and revised if monitoring indicates necessity. Why do standards apply only during the winter?

Standards proposed are interim. Year-round standards will shortly be proposed by the SWRCB. Our Delta Outflow Study produced only a winter recommendation.

Individual/Comment:

ABAG Staff Response:

State Water Resources Control Board

Regional Water Quality Control Board
(Preliminary staff comments)

Recommend deletion of Action 2.1 because EMTF has no authority to affirm or deny water quality objectives.

Need to include water quality objectives in EMP.

Bay Area Council

Amend Action 2.1 to "Review and, if necessary, revise water quality objectives for waters of the region." Water quality objectives should be re-examined in light of new information on mitigation efforts.

This is done by the RWQCB.

City of Oakland staff:

Action will not effect Oakland other than continuing staff costs for plan review.

None needed.

Santa Clara Valley Water District Staff:

Action 2.2 - Interim standards should be established only after sufficient evaluations are made.

Purpose of an interim standard is to conduct an evaluation to determine a final standard.

Action 2.3-Insufficient data for comment.

None needed.

Action 2.4-Support but unclear as to "in conformance with other environmental goals." Implementing agency should be EMTF instead of ABAG.

In conformance with other plan elements of water supply, air quality and solid waste; EMTF is part of ABAG.

WQ Policy 3: RE-ESTABLISH RECREATIONAL AND COMMERCIAL SHELLFISH HARVESTING IN THE BAY.

Individual/Comment:

San Mateo County Council of Mayors

Support Actions 3.1 through 3.3.

Amend Action 3.4 to read: "Establish criteria procedure for commercial shellfishing in the Bay." Add local health departments to implementing agencies.

Santa Clara TAC

Indirect impact is unclear, but could cause significant cost to local government.

Amend Policy by adding "where shown to be economically feasible."

Support Actions 3.1 through 3.4.

City of Santa Clara

Endorses TAC recommendations.

Contra Costa County Board of Supervisors

Policy 3. Delete "Recreational and."

Actions 3.1, 3.2 and 3.3. Add to each "for future consideration by State and Regional Agencies."

Action 3.4. Accept

Associated Building Industry

Policy 3. Amend to read "Monitor and survey the shellfish harvesting in the Bay."

Action 3.1 through 3.4. Delete

ABAG Staff Response:

None needed.

Intent of recommendation not clear.

Presumably no commercial operation will be established unless its promoter believes it to be economically feasible.

None needed.

We believe it is desirable to re-establish a safe and well-controlled recreational fishery.

The RWQCB supports the policy. No need for "future consideration."

This is an action not a policy.

Individual/Comment:

Supervisor Arnold Baptiste, Marin County

Policy 3. Adopt

Actions 3.1, 3.3 and 3.4. Adopt

Action 3.2. Amend. Add State Department of Health as implementing agency.

Chevron USA, Inc.

Policy 3. Plan to monitor and survey levels of shellfish harvesting does not appear justified.

Santa Clara County Board of Supervisors

Support Policy 3 with modification. See Santa Clara TAC comments.

Support Actions 3.1 through 3.4.

San Mateo County Board of Supervisors

Support Policy 3.

Support Actions 3.1, 3.2 and 3.3.

Amend Action 3.4 to read "Establish procedure for commercial shellfishing in the Bay." Add local health departments to implementing agency.

Rossmoor Residents Association, Inc.

Postpone Policy 3 as too costly and impractical until sewage discharges are brought up to the new standards. Cost-benefit ratios are not indicated.

Bay Area League of Industrial Association

Amend Policy 3 to read: "Monitor and survey the level of shellfish harvesting in the Bay." Shellfish harvesting is already allowed in many areas.

ABAG Staff Response:

Agree

Disagree. The monitoring and surveying would be for pollutants within a comprehensive program to reestablish shellfish harvesting.

See response to Santa Clara TAC.

Criteria for acceptability of must be established before procedures. Procedures would be established as administrative action by State Dept. of Health, which has the legal authority to establish criteria.

Results of Action 3.1 would provide much conclusive data needed to assess cost and practicality. Unlikely that future costs would be lower than plan costs. No wastewater treatment costs are proposed by policy.

Commercial shellfishing is not allowed. State and county health departments advise against recreational harvesting of Bay shellfish.

Individual/Comment:

ABAG Staff Response:

State Water Resources Control Board

Regional Water Quality Control Board
(Preliminary staff comments)

Policy 3. Strongly support policy. Recommend that Actions 3.1 and 3.2 be redrafted to recognize the RWQCB's lead implementing role.

Agree. The RWQCB has funds available to implement actions.

Charles A. Levine, Mayor, Clayton

Policy 3. Establishment of shellfish industry is a misplaced goal when total costs and methods of purifying water are unknown. Plan should emphasize "economically feasible" measures.

The determination of feasibility will be made in the plan approval process. This policy does not propose any wastewater treatment facilities or costs.

City of Hayward:

Amend policy to read "Investigate the technical feasibility and cost of re-establishing recreational and commercial shellfish harvesting in the Bay."

The State Health Department establishes the criteria of acceptability. This policy does not specifically propose improvement of water quality or any treatment systems. This policy would develop a data base, establish a routine monitoring program, establish administrative agreements and produce definitive criteria of shellfish acceptability. Action 3.3 indicates that selective approval of beds may be given.

There is as yet no Federal definition of water quality standards necessary to achieve this objective. Feasibility of achieving adequate water quality should be examined. Should examine separately identifying off-limits hot spots and acceptable shellfish beds.

City of Newark:

Amend to read "Investigate the feasibility of reestablishing recreational and commercial shellfish harvesting in the Bay."

See response to City of Hayward.

Oakland city staff:

Support policy 3 due to source of new jobs in area.

None needed.

Santa Clara Valley Water District:

Could cause significant cost to local government; add "where shown to be economically feasible."

See response to City of Hayward.

WQ POLICY 4: ENSURE THAT WATER POLLUTION FACILITIES OR MEASURES EFFECTIVELY PROTECT WATER QUALITY.

Individual/Comment:

ABAG Staff Response:

San Mateo County Board of Supervisors
San Mateo County Council of Mayors:

Revise Water Quality Assessment to read: "Would maintain receiving water quality by ensuring highest-possible quality of treatment plan discharge consistent with environmental goals."

We agree that present language is misleading. Will add language as recommended.

Support Actions 4.1 and 4.2.

Add "Local agencies" to implementing agency for Action 4.3.

Agree

Amend implementing agencies for Actions 4.4 and 4.5 by substituting "State Water Resources Control Board and California Water Pollution Control Association" for ABAG.

The purpose of the action is to develop local training and technical assistance programs. The RWQCB might be an appropriate agency to implement the recommendations. The Regional Board believes the actions are not needed. CWPCA is voluntary with limited funds. Contingency plans are currently required by the RWQCB as part of NPDES permit conditions.

Santa Clara County PPC, TAC and Board of Supervisors:

"The draft plan should be amended to include a policy requiring that dischargers submit contingency plans indicating actions to be taken in the event of equipment breakdowns and strikes by treatment plan operating personnel."

Support Actions 4.1 through 4.3.

None needed.

On Action 4.4, recommend continuing existing program, no further program needed. Plan should provide more information about what such coordination would accomplish. RWQCB should be implementing agency instead of ABAG.

See response to San Mateo County Council of Mayors.

On Action 4.5, this action isn't necessary; plan should provide more information as to why the information clearinghouse is needed and what it would accomplish. Implementing agency should be RWQCB rather than ABAG.

See response to San Mateo County Council of Mayors.

Individual/Comment:

ABAG Staff Response:

City of Santa Clara: Endorses TAC recommendations.

League of Women Voters of Bay Area

Action 4.3. Why not summarize in the news media instead of preparing a separate report.

News media could not collect this information. The summary would be used by agency staff members in the WQ field as well as the public. Compilation of data would require considerable effort and expertise.

Action 4.4. This action is definitely needed. WMCC should cooperate.

Contra Costa County Board of Supervisors

Policy 4. Accept.

Action 4.1 and 4.2. Accept.

Actions 4.3, 4.4 and 4.5. Delete.

Associated Building Industry

Policy 4. Amend to read "Continue to ensure that water pollution facilities or measures effectively protect water quality.

See response to ABI under Policy 2.

Actions 4.1, 4.2 and 4.4. Add "Continue to" before action.

Actions 4.3 and 4.5. Delete.

See response to San Mateo County Council of Mayors

Supervisor Arnold Baptiste, Marin Co.:

Policy 4 - Adopt.

Actions 4.1, 4.2 and 4.3 _ Adopt.

Actions 4.4 and 4.5 - Delete. Necessity not documented.

See response to San Mateo County Council of Mayors.

Rossmoor Residents Association, Inc.:

Delete Actions 4.3, 4.4 and 4.5 because there seems to be no substantiation of the need to spend \$101,000 annually.

Expanding existing and constructing new wastewater facilities estimated to cost \$240,000,000 a year. The proposed actions are a relatively small price to help ensure facilities are effectively operated.

Individual/Comment:

ABAG Staff Response:

Bay Area League of Industrial Assoc.:

Amend Policy 4 to read "Continue to ensure that water pollution control facilities or measures effectively protect water quality", reflecting ongoing efforts.

See response to ABI, Policy 2. Some actions are ongoing while others are new as part of 208 plan.

Action 4.4 - Designate SWRCB as implementing agency. SWRCB has ongoing program of training and would not need new funds.

See response to San Mateo County Council of Mayors. Also--the SWRCB program is only one among others and is limited. ABAG would not do training directly.

Action 4.5 - Designate SWRCB as implementing agency and indicate that this is an ongoing program.

See response to San Mateo County Council of Mayors. We are not aware of an ongoing technical assistance program.

State Water Resources Control Board
Regional Water Quality Control Board:
(preliminary staff comments)

Policy 4. Agree with policy and actions 4.1, 4.2 and 4.3. Implementing agency for 4.3 should be changed to RWQCB. Need for actions 4.4 and 4.5 should be established.

City of Hayward:

Action 4.4 - Replace ABAG with RWQCB.

See response to San Mateo County Council of Mayors.

City of Newark:

Actions 4.4 and 4.5 - Replace ABAG with RWQCB.

See response to San Mateo County Council of Mayors.

Oakland city staff:

Monitoring actions are already in effect; disproportionately affect low and moderate income households.

None needed.

Santa Clara Valley Water District
staff:

Support policy- treatment plants should develop contingency plans.

See response to Santa Clara County PPC

WQ POLICY 5: PROVIDE FACILITIES NEEDED FOR MUNICIPAL SEWERAGE SERVICE
AND WATER QUALITY PROTECTION

Individual/Comment:

ABAG Staff Response:

San Mateo County Board of Supervisors
San Mateo County Council of Mayors:

Support Actions 5.1 through 5.3.

None needed.

Comment on Action 5.2 is "This would be a growth control technique which should include local governments in the decision-making process."

F.E. Wilts, San Leandro Manufacturers' Association: Supports Policy 5.

None needed.

Santa Clara County TAC and Board of Supervisors: Support Action 5.1, with comment that the "20-year project list is incorrect with respect to funding years."

If compact development is removed from air quality plan, funding years change.

Support Actions 5.2 and 5.3.

City of Santa Clara: Endorses TAC recommendations.

Town of Woodside

Action 5.1 Comments on the twenty-year project list. Project listed as "Menlo Park Sanitary District - Sewerage Management for Portola Valley and Woodside" should be amended to read "Sewerage management for Portola Valley and some potential for a small portion of Woodside."

Not necessary to be this specific.

The following projects should be deleted:

"San Mateo County - Collection System for unsewered areas - Woodside Oaks, Skywood and Country Club Estates."

Agree

Project listed as "San Mateo County - Collection System for Unsewered Areas - Skylonda should be amended to read "unincorporated areas in Skylonda."

Agree

Individual/Comment:

ABAG Staff Response:

Town of Woodside (Cont'd)

Recommend following addition to list "Town of Woodside - Development of standards and regulations for the control of on-site sewerage systems and implementing programs for their enforcement." "Estimated cost for step 1, \$200,000, Priority Group I Year 78-79."

Will defer adding this pending a determination of its grant eligibility by EPA and State.

Contra Costa County Board of Supervisors

Policy 5 Accept

Action 5.1 Revise legal authority to include the Federal Water Pollution Control Act and Porter-Cologne Act

Agree

Action 5.2 Delete. Unnecessary shift in authority

No shift in authority proposed

Action 5.3 Delete "consistent with other elements of EMP" Delete ABAG as implementing agency.

The EMP must maintain consistency among elements. ABAG is the only regional agency involved with all plan elements.

Associated Building Industry

Actions 5.1 through 5.3 Add "Continue to" before actions

Actions 5.2 and 5.3 have never been done systematically before 208. Thus you could not "continue".

Supervisor Arnold Baptiste
Marin Co.

Policy 5 - Adopt

Action 5.1, 5.2 and 5.3 - Adopt

Rossmoor Residents Association, Inc.

Policy 5. Agree with County stand that no plan can be approved without time to analyze the impacts of 20-year project list on county, its cities and special districts.

Contra Costa County Board of Supervisors accepts Policy 5. The 20-year project list was obtained from cities, counties, special districts and the RWQCB.

Individual/Comments:

ABAG Staff Response

Bay Area League of Industrial Assoc.

Amend Policy 5 to include "continue to provide..." This will reflect existing program.

See response to Associated Building Industry. Present working does not inherently discredit ongoing efforts.

Action 5.1 - Note that the availability of funds for long-range programs is uncertain.

Action 5.3 - Replace SWRCB for ABAG as implementing agency.

See response to Contra Costa County Board of Supervisors.

Robert W. Quinlan, City Manager,
Cupertino

Add to Policy 5 a statement that "the provision of facilities.... should be consistent with Urban Service Area boundaries as established in Policy A of the Air Quality Plan".

Action 5.1 should be modified as per Policy 5.

James R. Osborn, Landal Institute
Land Use Research

Policy 5 - Insert after paragraph 1 - a study should be made of new, low-energy sewage treatment systems which use biological filters such as aquaculture. Such systems can use less energy, produce clean water and food, and are economically feasible. An assessment should be made available to local sewage facilities planners.

Universities, research institutes, EPA, and private consultants are constantly investigating such new systems. The professional literature makes innovations freely available to all facilities planners.

State Water Resources Control Board
Regional Water Quality Control Board
(Preliminary staff comments)

Policy 5 - Concur with policy under action 5.2 concern is expressed as to how and who will judge consistency with the EMP. The 20-year list includes surface runoff projects that do not appear to be eligible for "201" funding.

ABAG and RWQCB joint planning staff would judge consistency.

Individual/Comments:

ABAG Staff Response:

City of Belmont

Amend Action 5.1. Add the South County four city project to the 20-year project list.

Agree

Canners League of California

Policy 5 - Further review to justify the 20-year project list is needed. Recommend you continue the planning process to allow the uncertainties to be clarified.

The 20-year project list will be updated (and reviewed) annually.

City of Hayward:

Responsibility for 20-year list should be RWQCB's. ABAG could offer comments on conflicts with other environmental goals.

See response to Contra Costa County Board of Supervisors.

City of Newark:

Delete ABAG as implementing agency; Amend to "Every year the 20-year list of needed facilities will be updated by the RWQCB in consultation with the dischargers."

See response to Contra Costa County Board of Supervisors; also, 20-year list must be based on ABAG's population projections.

Oakland city staff:

Approval for funding of future projects could affect the city.

None needed.

WQ POLICY 6: ENCOURAGE CONSOLIDATION OF TREATMENT FACILITIES AND DISCHARGE OF WASTEWATER TO WELL-MIXED AREAS OF THE RECEIVING WATERS.

Individual/Comment:

ABAG Staff Response:

San Mateo County Board of Supervisors
San Mateo County Council of Mayors:

Amend Action 6.1 by substituting State Water Resources Control Board and Regional Water Quality Control Board for ABAG as implementing agencies.

We disagree. Action 6.1 is a review function presently performed by ABAG as A-95 clearinghouse. Since the policy is intended to ensure that the best facilities needed to accommodate projected growth and protect the environment are constructed, and since such projects must be included in the EMP to be grant eligible, ABAG role is necessary to ensure consistency.

San Mateo County Board of Supervisors:

Support Policy 6.

None needed.

Santa Clara County PPC and Board of Supervisors:

This policy should be amended to indicate that it is not a mandate that the South Bay Dischargers' subregional interceptor and outfall must be constructed. The necessity for and environmental impacts of construction of the "Super Sewer" are currently the subject of ongoing studies and have not yet been determined. This plan should not prejudice the outcome of those studies.

The policy should not prejudice the outcome of the study being conducted. See response to Santa Clara TAC below.

Santa Clara TAC: Recommend adding "where economically justified and environmentally desirable." TAC also notes desirability of adding language that policy is not a mandate to build the South Bay Dischargers subregional interceptor and outfall.

Agree; will change wording as recommended. We do not believe the policy is a mandate to build any particular project.

City of Santa Clara:

Endorses TAC recommendations.

Individual/Comment:

ABAG Staff Response:

Santa Clara County Medical Society
Environmental Health Committee:

We recommend that ongoing and further studies are necessary before new sewers are constructed.

All construction of wastewater facilities is preceded by detailed studies.

Contra Costa County Board of
Supervisors:

Policy 6. Add "where environmentally beneficial and cost effective".

See response to Santa Clara TAC.

Action 6.1 Delete if Policy 6 is not amended. Delete ABAG as implementing agency. Substitute RWQCB. Delete funding.

See response to San Mateo County Council of Mayors.

Associated Building Industry:

Action 6.1 Add "Continue to" before action

See response to ABI under Policy 2.

Supervisor Arnold Baptiste,
Marin County

Policy 6 - Adopt.

Action 6.1 - Substitute SWRCB and RWQCB for ABAG as implementing agency.

See response to San Mateo County Council of Mayors.

Rossmoor Residents Association, Inc.:

Delete Policy 6. This appears to duplicate Action 5.3 and would be undertaken by ABAG alone.

See response to San Mateo County Council of Mayors.

Bay Area League of Industrial Assoc.:

Amend Policy 6 to read "Continue to encourage consolidation of treatment facilities and discharge of treated wastewater as are determined necessary to achieve water quality standards." Rephrasing will reflect existing program and case-by-case evaluation of environmental impact.

See response to Santa Clara TAC.

Action 6.1 - Delete second paragraph under General Description as redundant. Substitute SWRCB for ABAG.

See response to San Mateo County Council of Mayors.

Individual/Comment:

Robert W. Quinlan, City Manager,
Cupertino:

Policy 6 - Should be modified so as not to be construed as a mandate for the construction of the South Bay Dischargers (subregional interceptor and outfall).

James R. Osborn, Landal Institute
Land Use Research:

Change Policy 6 to "Encourage planning to locate discharge sites to where: a) wastewater may be used for agriculture during irrigation season, and/or b) unused discharge will be to well mixed areas of receiving waters". Include appropriate consideration for agriculture in the sewage cycle in the descriptive paragraph.

State Water Resources Control Board
Regional Water Quality Control Board:
(Preliminary staff comments)

Policy 6 Concur with policy. The policy has been effectively carried out by RWQCB and State Boards in past. No need for ABAG involvement.

East Bay Dischargers Authority:

Amend Policy 6 to "Encourage coordination of management arrangements for implementing wastewater treatment, transport, disposal, and reclamation facilities". Existing Policy 6 presumes that consolidation produces economy.

Add to second paragraph of page IX-16 the following, "High priority will be given to evaluating means of coordinating agencies designated to implement the water quality management plan into subregional groups. Designation of existing subregional agencies will be carefully considered".

ABAG Staff Response:

Agree

The Regional Wastewater Reclamation Study, funded \$2,000,000 from the SWRCB is now beginning. Recommendations of that study, including agricultural possibilities, would be included in the Continuous Planning Process. Other 208 action would be premature.

This policy provides a basis for more effective Federally required A-95 review of wastewater projects by ABAG.

It is our intent that this be a facilities rather than management policy. See response to Santa Clara TAC.

Individual/Comment:

ABAG Staff Response:

City of Hayward:

Action 6.1 - Responsibility for the 20-year list should be with RWQCB. ABAG could offer comments on conflicts with other environmental goals.

See response to San Mateo County Council of Mayors.

City of Newark:

Amend policy to read "Where cost-effective, encourage consolidation of treatment facilities and discharge of wastewaters to well-mixed areas of the receiving waters."

See response to Santa Clara TAC.

City of Oakland staff:

Should not have direct impacts on Oakland.

None needed.

Santa Clara Valley Water District staff:

Add "where economically justified and environmentally desirable."

See response to Santa Clara County TAC.

WQ POLICY 7: ACCELERATE PROGRAMS TOWARD RECLAMATION AND REUSE OF WASTEWATERS. (See water supply plan.)

Individual/Comment:

ABAG Staff Response:

San Mateo County Council of Mayors:

Supports policy.

Santa Clara County TAC:

No recommendation.

City of Santa Clara:

No recommendation.

Contra Costa County Board of Supervisors:

Policy 7. Accept or accept Policy 3 of water supply plan not both.

Agree.

Supervisor Arnold Baptiste Marin County:

Policy 7 - Adopt.

Santa Clara County Board of Supervisors:

Support Policy 7.

San Mateo County Board of Supervisors:

Supports Policy 7.

Bay Area League of Industrial Association:

Rephrase Policy 7 to same wording as Policy 3 of Water Supply Management Plan.

See response to Contra Costa County Board of Supervisors.

State Water Resources Control Board Regional Water Quality Control Board: (Preliminary staff comments)

Policy 7 - Concur with policy. Recommend that implementing agency for regional reclamation study be Joint Powers Agency now being formed.

Agree.

City of Oakland staff:

Should have no direct impact on city.

None needed.

WQ Policy 8: ESTABLISH A PROGRAM OF SURFACE RUNOFF CONTROLS THAT EMPHASIZE LOW COST MEASURES TO REDUCE THE POLLUTANT LOAD FROM THIS SOURCE.

Individual/Comment:

ABAG Staff Response:

San Mateo County Board of Supervisors
San Mateo County Council of Mayors:

Amend policy to read: "Adopt each individual county plan of surface runoff control that emphasizes best management practices to reduce the pollutant load from this source."

See response to Contra Costa County Board of Supervisors.

Amend Action 8.1 to read: "Implement each county plan."

Propose that 8.2 through 8.16 be retained only as descriptive material under a new Action 8.1 "Adopt county surface runoff plans."

Delete Actions 8.2 through 8.16.

F.E. Wilts, San Leandro Manufacturers' Association: "I would remove those recommendations where cost/benefit relationships are poor or undefined. As example: Policy 8.3 and 8.12 cleaning of catch basins and impounding of surface runoff water."

Inability to precisely establish costs should not automatically preclude alternatives from consideration.

Santa Clara County PPC: Add the following sentence to the policy: "The specific surface runoff control measures to be employed in each county will be determined primarily by that county's surface runoff management plan."

...See response to Contra Costa County Board of Supervisors.

Santa Clara County TAC and Board of Supervisors: Add word "proven" before the word "pollutant" in the policy statement. Add sentence to policy that indicates "The specific surface runoff control measures to be employed in each county will be determined primarily by that county's surface runoff management plan. Where conflict exists between ABAG plan and county plan, then county plan takes precedence."

Support Actions 8.1 through 8.3.

None needed.

Add Santa Clara County local agencies to list of implementing agencies for Action 8.4.

Individual/Comment:

ABAG Staff Response:

Santa Clara TAC:

Support Action 8.5.

None needed.

No recommendation on Actions 8.6 and 8.7. Delete reference to Santa Clara County on Action 8.7 because septic tank problems were not identified as a serious problem in the county surface runoff plan.

The SCVWD Progress Report No. 8 on existing water quality problems clearly identifies pollution from malfunctioning septic tank leach fields.

No recommendation on Action 8.8.

None needed.

Support Actions 8.9 and 8.10.

None needed.

No recommendation on Action 8.11. Delete reference to Santa Clara County because this problem was not identified as a serious problem in Santa Clara County.

Agree to deletion.

No recommendation on Action 8.12.

None needed.

Change wording on Action 8.13 from "Control land use" to "Creekside Control." No other recommendation except to delete reference to Santa Clara County because this was not identified as a serious problem in Santa Clara County.

Not appropriate because land use controls include other actions besides creekside controls.

Support Actions 8.14 through 8.16.

None needed.

City of Santa Clara: Endorses TAC recommendations.

Santa Clara County Medical Society
Environmental Health Committee:

We recommend further studies may be necessary to show whether surface runoff pollution of septic tanks is a problem in Santa Clara County.

This could be done in CPP.

Santa Clara Co. Board of Supervisors:

Support Actions 8.5, 8.6, 8.8, 8.9, 8.10.

Modify Action 8.7 to delete reference to Santa Clara County.

See response to Santa Clara TAC.

Support Action 8.11. Delete reference to Santa Clara County.

Agree to deletion.

Support Actions 8.12 through 8.16.

Individual/Comment:

Council of Bay Area Conservation Districts:

It is noticeable that surface runoff problem identification is lacking.

Resource Conservation Districts are best qualified to carry out implementation phase of surface runoff plan.

Contra Costa County Board of Supervisors:

Policy 8 Amend to read "Each county shall establish a program of best management practices for surface runoff control according to each county plan".

Action 8.1 Accept adding list of counties to implementing agencies.

Action 8.2 Delete.

Action 8.3 through 8.14. Add words "increase" or "improve" to each.

Action 8.16 Add "within each county" to action.

Associated Building Industry:

Policy 8 Continue programs of surface runoff controls that emphasize cost-effective measures to reduce the pollutant load from this source.

Action 8.1 Could be implemented as part of Action 1.1 of solid waste plan.

Action 8.2, 8.3, 8.4, 8.5, 8.7 and 8.9. Add "Continue to" before action.

Actions 8.8, 8.10, 8.11, 8.13, 8.15 and 8.16. Delete.

Action 8.14 Add "on pilot program basis".

ABAG Staff Response:

Surface runoff problems were identified by counties. See Table 3 of WQ plan and individual county plans.

True for some control measures.

No need for this level of specificity in policy.

Propose that 8.1 through 8.16 be retained only as descriptive material under a new action 8.1. "Adopt county surface runoff plans."

See response to ABI under policy 2.

See response to Contra Costa Board of Supervisors.

Individual/Comment:

ABAG Staff Response:

Supervisor Arnold Baptiste,
Marin County:

Policy 8 - Adopt.

Action 8.1 - Amend to read
"adopt and support imple-
mentation of each County
Surface Runoff Plan".

Actions 8.2 - 8.15 - Delete
and include under 8.1.

See response to Contra Costa
County Board of Supervisors.

Action 8.16 - Adopt.

Rossmoor Residents Asso-
ciation, Inc.:

Reword Policy 8 to read "Each
County Lead Agency shall estab-
lish a program of surface runoff
control measures according to
each County plan".

See response to Contra Costa
County Board of Supervisors.

Bay Area League of Industrial
Association:

Amend Policy 8 by substituting
"cost-effective" for low cost.
Rephrasing would not restrict
options to least costly.

This change could hinder
actions where cost/benefit
ratios are not fully
defined.

Action 8.8 - Identify specific
tasks and costs. Present action
is a blank check for unspecified
action at undetermined cost.

Louisa Jaskulski, Political Action
Coalition for the Environment:

Policy 8 - The EMP process must
ensure that all counties shoulder
an equitable share of pollution
cleanup. Supports further data
acquisition for cost/benefit anal-
yses. Believes recommendations
should include goals and mile-
stones for implementation.

Counties will submit to ABAG
RWQCB and EPA a schedule for
modifying the plans to satisfy
State and Regional Board and EPA
comments during the first few
months of the continuing planning
process.

Action 8.1 - Amend to read"...
where shown to be cost-effective".
Public, not private, sector em-
ployment would result.

Individual/Comment:

Louisa Jaskulski, Political Action
Coalition for the Environment:
(Cont'd)

Action 8.3 - Amend to General Description "water quality, flood control, and increased recreational benefits".

Social impact - increased availability of recreation areas will have a positive impact on local community identification - will provide more close-by recreation sites.

Action 8.4 - Supports - noting recycling and reuse of packaging materials could lead to lower retail prices due to materials and energy savings as economic impacts.

Action 8.5 - separate two components of dumping and oil recycling. Add new Action 8.5a - "Encourage oil recycling".

Action 8.6 - Supports, noting decreased car maintenance and repair, decreased personal injuries as economic impacts.

Action 8.10 - Amend implementing agencies to "and all other counties with agricultural land use activity".

Action 8.11 - Amend implementing agencies to "and other Bay Region Counties".

Action 8.13 - Add to General Description "Change large parking lot construction standards to require multiple-story structures or permeable surfacing".

Action 8.13 - Amend Implementing Agencies "Local and county public works departments and special districts in Santa Clara, Solano, Sonoma and other Bay Region counties.

Individual/Comment:

ABAG Staff Response:

Louisa Jaskulski, Political Action
Coalition for the Environment:
(Cont'd)

Action 8.16 - Add ABAG to implementing agencies. Charge ABAG to spearhead efforts to obtain State and Federal funds. Note that costs to local governments decrease as outside revenue sources are developed.

Robert W. Quinlan, City Manager,
Cupertino:

Amend Policy 8 to indicate individual County Surface Runoff Plans as the primary control measure for each County. State Water Resources Control Board Regional Water Quality Control Board:
(preliminary staff comments)

See response to Contra Costa Board of Supervisors.

Policy 8 Concur with policy. It is not clear what is being proposed for adoption, however. The County plans do not provide an adequate discussion of existing practices.

See response to Contra Costa County Board of Supervisors.

Many of the activities proposed are more planning rather implementation of controls. Planning should have been completed with expenditures already made.

Actions that appear to be good ideas (8.1, 8.3, 8.4, 8.5, 8.9, 8.13) should be undertaken by all counties. Proposed financing mechanisms and schedules for implementation lack specificity.

Designation of implementing agencies is insufficiently specific.

Individual/Comment:

ABAG Staff Response:

San Francisco Tomorrow:

Policy 8. "Low cost" should not mean "low priority". Each of cities and counties should be required to achieve similar standards (to San Francisco) and bear proportionate share of cost. San Francisco should be allowed to discharge treated effluent into the Bay.

"Low cost" means consistent with our knowledge of the problem. San Francisco is unique because its storm sewers are combined with sanitary sewers. Presumably ocean discharge was the most economical solution for San Francisco.

Action 8.10 - Drip irrigation should be mandatory for all suitable crops in areas affecting the Bay.

"Mandatory" overlooks high cost to farmer. The State does not have legal authority to mandate drip irrigation.

Association of Environmental Professionals:

Policy 8. Supports ABAG role as coordinator among counties. Believes costs are understated by orders of magnitude.

We concede many costs are undetermined because we do not yet know full extent of implementation. Costs provided by counties.

City of Hayward:

Delete actions 8.1 and 8.12 and make them future study items.

These are summaries of county surface runoff plans; two-years of work went into these plans.

City of Newark:

Amend policy to read "Investigate the effectiveness and economic feasibility of surface runoff controls that emphasize low cost measures to reduce the pollutant load from this source."

We disagree; see comments of EPA, and State and Regional Water Quality Control Boards. Surface runoff is a problem; it is only a matter of opinion whether "major" investment in surface runoff controls is justified; county surface runoff plans amount to about \$250,000/year in new costs.

Amend narrative to read "Evidence to date suggests that surface runoff may be contributing to the region's water quality problems. Because the evidence is inconclusive, a major investment in surface runoff controls is not justified at this time. Certain minimal control measures may be sufficiently effective and economically feasible for implementation. These measures should be subjected to further research for implementation in a later revision of this plan or on a voluntary basis by the constituent governments involved."

Other narrative changes recommended.

Individual/Comment:

ABAG Staff Response:

City of Oakland staff:

Provide specific cost figures for implementation of the Alameda County Surface Runoff Management Plan.

None needed.

Santa Clara Valley Water District staff:

Support position of Santa Clara County TAC. Suggest SCVWD as county coordinating agency for Action 8.16.

None needed.

Harry Seraydarian, EPA:

The final WQMP certified by SWRCB must include an evaluation program and target abatement dates for the major categories of surface runoff...The program should include interim milestones and decision points leading towards control of particular source categories and implementation of best management practices...The recommendations should include the development of model programs and ordinances. ...The final WQMP should indicate why action items are not being undertaken by all counties....The final WQMP should include a description of the structure of the Surface Runoff Management Program. ...The final WQMP should include more information on existing programs in the county plans and how these will be evaluated and evolve into model control programs.

Counties are to report to the Executive Board with a schedule for how EPA comments, as well as those of the State and Regional Boards, will be addressed in the county surface runoff plans, and how the plans will be modified to address the comments by September 15, according to directions given by EMTF.

WQ POLICY 9: PROVIDE FACILITIES NEEDED FOR INDUSTRIAL WASTEWATER TREATMENT AND DISPOSAL AND WATER QUALITY PROTECTION.

Individual/Comment

ABAG Staff Response:

San Mateo County Councils of Mayors:

Support Actions 9.1 through 9.4.

None needed.

F.E. Wilts, San Leandro Manufacturers' Association: "The direct and indirect industrial waste treatment program, estimated at \$40 million per year, should only be implemented on the basis of specific point source problem identification.

The plan does not recommend waste treatment levels greater than those presently required by EPA and State. The EPA requirements are not contingent on a problem being identified.

Santa Clara TAC and Board of Supervisors
Support Actions 9.1 through 9.4.

None needed.

City of Santa Clara: Endorse TAC recommendations.

League of Women Voters of Bay Area

Action 9.3 More cost-benefit details should be known.

Agree. SFBDRP would obtain some of the data needed to do this.

Contra Costa County Board of Supervisors

Policy 9 Accept

Action 9.1 Amend to read "and disposal of direct industrial discharges into bodies of water".

Agree to principle if not to exact wording.

Action 9.2, 9.3 and 9.4 accept pending advice of others.

Associated Building Industry

Policy 9 and Actions 9.1 through 9.4 add "Continue to" before action.

See response to ABI under Policy 2.

Action 9.1 Add phrase "for all industry".

Individual/Comment

ABAG Staff Response:

Supervisor Arnold Baptiste, Marin County

Policy 9 - adopt

Actions 9.1 through 9.4 - adopt

Chevron USA, Incorporated

Action 9.1 - It should be noticed that the California Pollution Control Financing Authority has a policy of favoring small companies and excluding large ones.

Dr. Williams and Mr. Cannon,
Citizens for a Better Environment

Action 9.3 - Ease of removal is an unacceptable criteria for determining the necessary degree of control of deadly toxic substances into our water ways. Reliance on current municipal discharge requirements as the guides for implementing pre-treatment standards is insufficient....Action 9.3 should be amended to "Implement strict pretreatment standards for industry discharging into municipal (waste) water treatment plants. Also endorse immediate implementation of stricter Federal standards when available and SFBDRP staff to propose strict standards (pre-treatment) when Federal are too weak.

San Mateo County Board of Supervisors

Support Policy 9

Support Action 9.1 through 9.4

Bay Area League of Industrial Assoc.

Add "continue" to Policy 9 and Actions 9.1 through 9.4

Industry experience shows our costs to be 2½ times more than ABAG estimates. Low interest rate loans are uncertain.

Municipal discharge requirements already include fairly strict limits on certain toxic materials.

See response to ABI *under Policy 2.*

See response to San Leandro Manufacturer's Association

Individual/Comment

ABAG Staff Response:

State Water Resources Control Board
Regional Water Quality Control Board
(preliminary staff comments)

Policy 9 Concur with policy similar concerns as for Policy 5 Recommend action 9.1 be reworded "Expand existing and provide new facilities for treatment and disposal of industrial waste as necessary to comply with NPDES permits adopted by RWQCB.

See response to RWQCB comment on Policy 5

City of Newark:

Add words "upon determination of specific costs to individual industries and the economic feasibility of forced implementation..."

Treatment levels in excess of those currently required by law are not recommended in the plan.

City of Oakland staff:

These requirements could force closure of some small industrial plans. This policy could negatively affect the competitive position of Bay Area industries with those of other regions.

The requirements are mandated by Federal and State law. Treatment levels in excess of those currently required by law are not recommended in the plan; therefore there should be no competitive disadvantage to the Bay Area.

WQ POLICY 10: REDUCE SEWAGE POLLUTION FROM SMALL BOATS IN MARINAS, HARBORS,
AND ENCLOSED BAYS.

Individual/Comment:

San Mateo County Board of Supervisors
San Mateo County Council of Mayors:

Amend implementing agency for Action 10.1 by substituting county health departments for SFBDRP.

Support Action 10.2.

Amend Action 10.3 by removing ABAG from implementing agencies.

Support Actions 10.4 through 10.6

Santa Clara County Board of Supervisors
Santa Clara TAC:

Support Actions 10.1 through 10.6.
Add Coast Guard as implementing agency for Action 10.3.

City of Santa Clara: Endorse TAC recommendations.

League of Womens Voters of Bay Area

Policy 10 Suggest addition of action which would require State Legislation making DMV licensing of small vessels contingent on installation of holding tanks.

Contra Costa County Board of Supervisors

Policy 10 Amend to read "Reduce sewage pollution from small boats in the Bay-Estuary."

ABAG Staff Response:

It is the intent of Policy 10 that monitoring should be centralized as much as possible to improve consistency and accuracy of analyses. This type of monitoring might be undertaken by County, however, it often has not due to funding limitations.

None needed.

Agree, provided another agency will undertake the action.

None needed.

Agree in principle. However, present Coastguard regulations allow vessel waste treatment systems that RWQCB and ABAG believe are unsatisfactory.

The Federal Government has pre-empted any State action on types of devices.

Will add words "in Bay-Estuary system." Cannot demonstrate problem in entire Bay.

Individual/Comment

Action 10.1 Delete, Replace with action for the RWQCB to hold public hearings on a no-discharge regulation.

Action 10.2 Delete

Action 10.3 Unneccessary. Delete ABAG from implementing agencies

Action 10.4 Charge implementing agency to read "Counties, RWQCB, BCDC.

Actions 10.4 and 10.5 Charge Measures to Ensure Implementation to read "by County enforcement agencies"

Rossmore Residents Association, Inc.
Associated Building Industry

Policy 10 Amend to read "Reduce sewage pollution from small boats in Bay Estuary"

Action 10.3 Add "Continue to" to action"

Supervisor Arnold Baptiste, Marin County

Policy 10 - Adopt

Actions 10.1 through 10.6 - adopt

Rossmoor Residents Association, Inc.

Actions 10.1 through 10.6 - Agree with county.

ABAG Staff Response:

RWQCB will hold hearings. But hearings will not produce new numerical data we need.

See response to San Mateo County Council of Mayors.

Implementing agencies are owners of marinas. Counties, RWQCB, and BCDC are enforcement agencies unless also owners of marinas.

BCDC already has powers to enforce 10.4 and 10.5 SWRCB is partially implementing 10.4 on selective basis.

See response to Contra Costa County Board of Supervisors.

There is no program as defined to "continue".

Individual/Comment

Bay Area League of Industrial Assoc.

Amend Policy 10 and Action by adding "continue to..."

Action 10.1 - Identify RWQCB and Department of Health as implementing agencies. SFBDRP would duplicate effort.

Statewater Resources Control Board
Regional Water Quality Control Board

Policy 10 - Concur with policy and Actions 10.3, 10.4, 10.5 and 10. 6 amend policy to read "Reduce sewage pollution from vessels in marinas, harbors and enclosed bays."

Amend Action 10.1 to "Conduct public hearings to determine appropriateness of vessel waste discharge prohibitions."

Amend Action 10.2 to "If discharge prohibitions are not imposed, improve monitoring and documentation of vessel waste pollution", implemented by the RWQCB and assisted by the San Francisco Bay Research Council.

City of Oakland Staff:

There would be a cost to the city for publicly owned facilities.

ABAG Staff Comments

Present programs are insufficient to continue as is.

Historically, the RWQCB and Department of Health have not monitored these areas in detail. SFBDRP would provide the bonus of coordinating monitoring with other Bay Area monitoring.

Agree

Agree, to new action 10.1 but hearings are unlikely to produce new hard numerical data. See below

Renumber old Actions 10.1 through 10.6.

It was intent that new actions 10.2 and 10.3 would be fall-back positions if new action 10.1 were to fail.

None needed.

WQ POLICY 11: IMPROVE WASTEWATER DISPOSAL PRACTICES IN UNSEWERED AREAS
CONSISTENT WITH REGIONWIDE DEVELOPMENT POLICIES.

Individual/Comment:

San Mateo County Board of Supervisors
San Mateo County Council of Mayors:

Amend Action 11.1 to read: "Establish minimum regionwide guidelines for on-site disposal systems."

Revise General description of Action 11.1 to read: "Guidelines for selection, design, evaluation and construction of on-site disposal systems. Guidelines would preclude 'interim' on-site systems awaiting a 'future' sewer. Incorporate new guidelines in local building codes and ordinances."

Remove ABAG as implementing agency for Action 11.1.

Support Actions 11.2 through 11.6.

Santa Clara County PPC:

Action 11.1 should be amended to include minimum density requirements for septic tanks and require that all new urban development be sewerred.

Action 11.2 and 11.3 should be consolidated as follows: "Require periodic public inspection of on-site wastewater disposal systems and establish procedures to ensure proper maintenance." This would still achieve the intended objective, but would provide greater flexibility to local agencies in implementing the policy.

ABAG Staff Response:

The RWQCB waives its right to issue permits for industrial septic tanks based on their evaluation of county septic tank ordinances. The Board intends to continue this waiver if certain minimum standards are adopted. Guidelines are not sufficiently enforceable for this purpose.

First point; see above. Second and third points; we agree.

Agree.

None needed.

We do not feel that it is appropriate to include these provisions in a regional standard because it does not take account of local conditions.

Action 11.2 - Propose wording "Require periodic public inspection of new on-site wastewater disposal systems and establish in conformance with RWQCB proposed policy of 19 Aug 1977, as adopted. Action 11.3 - will change wording to "Establish where appropriate" and to reflect consistency with requirements and procedures of (SB 430) Cal. Health and Safety Code.

WQ POLICY 11 - Continued

Individual/Comment:

Action 11.4 is potentially inconsistent with the AQMP. The action should be modified to indicate that this policy should be applied only when it is consistent with the compact development policies of the AQMP.

Santa Clara Co. Board of Supervisors
Santa Clara TAC:

Reword policy statement to read:
"Improve on-site wastewater disposal practices in unsewered areas."

Revise general description to establish minimum regionwide objectives for on-site disposal systems, but standards would vary dependent on local conditions.

Consolidate Actions 11.2 and 11.3 as noted above in PPC comments.

Revise wording of Action 11.4 as noted above in PPC comments.

Support Actions 11.5 and 11.6

League of Women Voters of Bay Area

Action 11.1 - Very desirable action.

Action 11.6 - We question this because of problems involved with inspection and overseeing this action.

ABAG Staff Response

In itself the action is not inconsistent with compact development. Regardless of potential inconsistency it doesn't seem reasonable to build on-lot systems as a land use control measure when it is known they will cause a water quality problem.

Agree; this is the intent of recommendations.

See response to PPC.

See response to PPC.

None needed.

Some revisions have occurred in the Federal Water Pollution Control Act Amendments 1977. This recommendation is designed to make public funds for on-lot sewerage systems more available.

WQ POLICY 11 - Continued

Individual/Comment:

Contra Costa County Board of Supervisors

Policy 11 - Delete "consistent with
regionwide development policies."

Action 11.1 - Amend to read "Approve
standards for on-site disposal sys-
tems." Delete ABAG from implementing
agencies.

Action 11.2 - Amend to read "Consider
public management of new on-site sys-
tems in major subdivision developments
where such systems are technically
appropriate."

Actions 11.4, 11.5 and 11.6 - Accept.

Supervisor Arnold Baptiste, Marin
County

Policy 11 - Adopt.

Action 11.1 - Delete ABAG as imple-
menting agency.

Actions 11.2 and 11.3 - Combine to
read "Establish public management of
all existing new on-site systems
which will include periodic public
inspections and appropriate mainte-
nance procedures.

Action 11.4 - Modify - an automatic
conversion to sewers could be growth
inducing and inconsistent with goals
for compact growth.

Actions 11.5 and 11.6 - Adopt.

Associated Building Industry

Policy 11 - Amend to read "Improve
wastewater disposal practices in un-
sewered areas consistent with needs."

Action 11.1 - Delete regionwide.

ABAG Staff Response

Agree.

Agree to deletion of ABAG.

See response to Santa Clara
County PPC.

Agree.

The legal basis for each action
is quite separate. Also - see
response to Santa Clara County
PPC.

Disagree. If septic tanks are
technically inappropriate, they
should not be installed.

See response to Contra Costa
County Board of Supervisors.

See comment of Santa Clara TAC.

WQ POLICY 11 - Continued

Individual/Comment:

Action 11.2 - Delete "and meet all other EMP requirements."

Action 11.3 - Add "on request of owners."

Action 11.4 - Define "inappropriate."

Action 11.5 - Add "through grants."

Action 11.6 - Delete.

Rossmoor Residents Association, Inc.

Policy 11 - Agree with County.

Actions 11.1 through 11. 6 - agree with County.

Bay Area League of Industrial Assoc.

Amend Policy 11 by adding "continue to...". Replace "regionwide development policies with "needs."

Robert W. Quinlan, City Manager,
Cupertino

Actions 11.2 and 11.3 - Supports position of Santa Clara County PPC.

Action 11.4 - Modify - this policy is too open ended and appears inconsistent with the land use policies calling for Urban Service Area boundaries.

State Water Resources Control Board
Regional Water Quality Control Board

Concur with Policy 11 but do not understand impact of phrase "consistent with regionwide development policies."

Add SWRCB as implementing agency to Action 11.5.

ABAG Staff Response:

Disagree. The EMP must maintain consistency among elements.

See response to Santa Clara County PPC.

Agree. Add words "Inappropriate means technically unsuitable for permanent use on proposed or existing lot size."

See response to Contra Costa County Board of Supervisors.

See response to Santa Clara County PPC.

Disagree. If proposed on-site systems are technically inappropriate, then development must be on sewers. If for some reason, sewerage cannot, or will not, be provided, then development should not be allowed.

Delete phrase. See response to Santa Clara PPC.

Agree

WQ POLICY 11 - Continued

Individual/Comment:

Gary C. Chase, Town Manager, Moraga

Policy 11 should be reexamined to determine whether actions are really needed.

Charles A. Levine, Mayor, Clayton

Action 11.2 and 11.3 - Adds another group and costs to function of government. This is a proper function of Health Department. Tanks need inspection and repair only when they fail. Private organizations can do repair at lower cost.

City of Oakland staff:

It is likely that unsewered areas in Oakland could not meet new on-site standards. Cost of sewerage would be by owners of benefitted properties.

Santa Clara Valley Water District:

Support position of Santa Clara TAC for policies and actions.

ABAG Staff Response:

Water Quality Technical Memorandum No. 4 documented need. The present process is the reexamination.

Costs would be born by beneficiaries of services. Damage is done if inspection performed after failure. Local Health Department can be the implementing agency. Repair can be contracted to private companies.

It is intent of policy that sites unsuitable for on-site disposal be sewerage or not developed at all.

See response to Santa Clara TAC.

WQ POLICY 12: MONITOR EFFECTIVENESS OF EXISTING ARRANGEMENTS FOR PREVENTING AND DEALING WITH OIL AND CHEMICAL SPILLS IN THE BAY AREA.

Individual/Comment:

San Mateo County Board of Supervisors
San Mateo County Council of Mayors:

Amend Actions 12.1 and 12.2 by substituting "existing agencies" for BCDC.

Support Actions 12.3 through 12.8.

Chevron, USA: An overview agency to monitor and coordinate activities to prevent and control oil spills is unnecessary...there is no need for change in the present, highly workable arrangement.

Santa Clara County PPC: Action 12.5 says "Incorporate report results from 11.4 and 11.5 into the EMP." Neither action 11.4 nor 11.5 appear to be at all related to Policy 12. Action 12.5 should be corrected or else deleted.

Santa Clara County Board of Supervisors
Santa Clara County TAC:

Support Actions 12.1 through 12.3.

No recommendation on Action 12.4.

Correct Action 12.5.

Support Actions 12.6 through 12.8.

Contra Costa County Board of Supervisors

Policy 12 Amend to read "Each County should develop procedures and capabilities for prevention and clean-up of oil and chemical spills"

ABAG Staff Response:

This would not provide the needed independent review.

None needed.

We do not agree that no problems exist. No overview agency is recommended--only an independent review by an agency not currently involved in cleanup or prevention.

This was a mistaken numbering. Should have read "from 12.2 and 12.4."

None needed.

None needed.

This action will be corrected.

None needed.

Disagree. There are already too many agencies involved. However, some county agencies may provide necessary services.

Individual/Comment

ABAG Staff Response

Actions 12.1, 12.2 - delete

Staff believes that a one-time comprehensive analysis by an outside management consultant would be a desirable alternative to Action 12.1 and 12.2.

Action 12.3 - delete

Disagree. Our study indicated that some fire departments do not have plans to protect water quality where feasible.

Action 12.5 - delete

Associated Building Industry

Policy 12 Replace "Monitor effectiveness of "with "Continue to utilize"

Our study indicates there may be grounds for improving existing arrangements.

Action 12.1 and 12.2 delete

See response to Contra Costa County Board of Supervisors.

Action 12.3 Add "if funding is available."

Many fire departments already have and update such plans.

Action 12.4, 12.5 and 12.7 delete

Action 12.6 Already done.

Agree. Should now be deleted.

Supervisor Arnold Baptiste, Marin County

Policy 12 - adopt.

Action 12.1 through 12.4 - adopt

Action 12.5 - delete, unrelated to policy 12

This was numbering mistake. Should have read "from 12.2 and 12.4"

Actions 12.6 through 12.8 - adopt

Chevron USA, Incorporated

Policy 12 fails to recognize the effective performance of the US Coast Guard and a substantial decrease in pollution incidents for the 12th District between 1973 and 1976.

Most agencies in spill handling appear to be doing a very good job within their circumscribed areas of concern.

Individual/Comment

Action 12.4 - US Coast Guard is only agency authorized to, and deemed capable of, evaluating vessel (traffic) control system.

Action 12.8 - no local agency is qualified to judge need for Federal regulations on tanker construction.

Rossmoor Residents Association, Inc.

Delete Policy 12. Replace with "Encourage each county to develop procedures, as needed, to supplement the efforts of industry and State, Federal and regional water quality agencies."

Bay Area League of Industrial Assoc.

Amend Policy 12 to read "continue to utilize existing agencies and arrangements for preventing and dealing with oil and chemical spills in Bay Area." We believe... current program...has amply demonstrated its effectiveness.

Delete Action 12.1

Delete BCDC as implementing agency for Action 12.1 and 12.2

Actions 12.3 and 12.4 amend to reflect current programs.

Delete Action 12.5

Action 12.6 and 12.7 - Rephase to reflect current legislative efforts.

Action 12.8 - delete the word "promulgate" for an established action.

ABAG Staff Response

U.S. Coast Guard is the proposed implementing agency.

Local agencies are qualified to recognize hazards in their environment and to advocate administrative action.

See response to Contra Costa County Board of Supervisors

See response to Chevron USA and ABI.

See response to Contra Costa County Board of Supervisors.

See response to Contra Costa County Board of Supervisor. Coast Guard advisory committee representative supported need for 12.4.

We attempted to indicate current efforts. Proposed legislation changes too frequently to specify it.

Individual/Comment

A review mechanism for costs should be implemented rather than endorsing or blank check.

State Water Resources Control Board Regional Water Quality Control Board

Amend Action 12.1 to "Establish a Task Force to investigate oil spill problems in California and make recommendations to the SWRCB" To General Description add "The Task Force representatives should be independent of the commercial shipping industry and knowledgeable of oil spills and their prevention," Implementing agency is SWRCB, schedule for action in January 1979, legal authority in Porter-Cologne Act, total cost per year is \$20,000, cost per year attributable to plan is \$20,000 financing mechanism in Federal 208 funds, and measures to ensure implementation is SWRCB action.

Amend Action 12.2 to "Investigate cleanup and preventative measures for inland spills of oil or hazardous substances in the Bay area and make recommendations for improvement."

General Description to be "A one time study of inland spill activities. Further action will depend upon the results of the study," implementing agency in ABAG, schedule for action in January 1980, total cost per year is \$50,000, cost per year attributable to plan is \$50,000, financing mechanism is Federal 208 funds.

ABAG Staff Response

Specific impacts of Federal and State legislation must be assessed by the legislative bodies.

The State Tanker Task Force is already performing their limited study of only oil spills and the possible State role. We believe that all oil and all chemical spills should be addressed. Since many of the same agencies will handle inland and offshore spills, and inland spills can become offshore problems, the two areas should not be separated.

We agree that a one-time study be conducted before committing to a permanent overview agency. Technology for spill prevention or clean-up is well developed but its application is a management problem. The one time study should concentrate on more effective management. This includes improved interagency coordination, addressing inland spill problems poorly addressed till now, simplification of an overly complex system, and more effective response to all chemical spills. Due to the complex nature of the present system, we believe the study should be performed by an independent management consultant for not less than \$100,000.

Individual/Comment

Bay Area Council

Amend Action 12.1 to "Monitor over a period of two years performance of agencies in Bay Area." Implementing agency: RWQCB.

Delete Action 12.2

Amend Action 12.6 to "Evaluate need for Federal or State Legislation on liability requirements for spillers and compensation for damage." Regional decision makers should not approve State or Federal legislation without an opportunity to review legislation. Implementing agency: RWQCB.

San Francisco Bay Conservation and Development Commission

Actions 12.1 and 12.2 - delete reference to BCDC as implementing agency.

City of Oakland staff:

Support action but replace BCDC with RWQCB. On Action 12.3, Oakland would pay for costs of plan preparation and training of personnel as necessary.

Harry Seraydarian, EPA:

Expand text to support action items. Action items could be expanded in the continuing planning process to include spill prevention for gasoline stations under 42,000 gallons; spill prevention for inland transportation related facilities; measures to ensure safe oil tanker oil handling and ship to ship lightering; development of regional spill prevention program for storage and distribution of chemicals.

ABAG Staff Response

See response to SWRCB.

Agree

See response to Bay Area League of Industrial Assoc. Only Congress on the State Legislature can truly "evaluate the need for any legislation. That should not prevent the Bay Area from indicating its opinions in the subject.

Agree

RWQCB does not wish to implement this action; EMTF will have to consider what to recommend.

Agree. See response to Contra Costa County Board of Supervisors and SWRCB. We did not identified a problem under item 1, but the enlarged study can address it. We strongly agree that itmes 2 and 4 should be addressed by proposed study. Item 3 is preempted by Federal law and Coast Guard regulations; however, tanker task force will shortly produce its analysis of this problem. it may be incorporated in future EMP revisions.

WATER QUALITY COMMENTS AND RESPONSES

March 8, 1978 to
March 31, 1978

Water Quality Comments Not Specific To Policies And Actions

Individual/Comment

R. C. Riddle, Department of the Army, Corps of Engineers

Table 4 in Volume I of your Draft Plan acknowledges that the Corps of Engineers has regulatory authority over dredging operations. It should be noted that this authority also comes from the FWPCA. Some of the plan-related construction work may require Department of the Army authorization. Also, we request that plan-related construction work be brought to our attention by the lead agency as soon as possible, so we can insure that those activities are compatible with any Corps projects or studies which may be located in the same area.

County Sanitation District No. 4, Santa Clara County

"Now therefore be it resolved that the Board of Directors of County Sanitation District No. 4 does endorse the Position Statement of the Santa Clara County Board of Supervisors as it relates to the Water Quality Management Plan and urges that the Plan be revised to incorporate the amendments set forth in the Position Statement."

Amy Pinkerton and Harvey Rose

Alternative energy sources can also go far in improving air and water quality, while at the same time providing low-priced energy and employment. The plan could mandate a study committee in these areas to make further recommendations.

Stephen R. Thatcher, City Manager, City of Antioch

The plan does not seem to provide a major concern for the city. In terms of water quality, the city would want to pay particular attention and support to efforts to improve the delta.

Fred O. Wood for the City of Gilroy

The plan should take into account that Gilroy and the surrounding area does not drain into San Francisco Bay. Gilroy should not be arbitrarily subjected to policies designed for San Francisco Bay. Groundwater basins provide the only source of domestic waters to the Gilroy Area. The plan does not provide adequate policies for the protection of such water sources.

Response

No response needed.

See response to Santa Clara County Board of Supervisors.

EPA did not feel that this planning program should include detailed energy analyses.

No response needed.

First point - it is not the intention of the plan to do this. Second point is addressed in water supply plan.

Individual/Comment

Response

Thomas E. Brantley, San Leandro Manufacturers' Association

Our position is that existing agencies should handle all water control programs, without introducing new agencies. We believe that present programs have been most effective in cleaning up the bay and its tributaries. Any cost effective programs to reclaim wastewater for reuse should be encouraged.

No response necessary.

Richard A. Spellman, City of El Cerrito

One additional policy is called for: Reevaluate the benefits and costs of placing a barrier across the straits near Martinez. A possible action would be to build that barrier and suitable locks for fish and ships. Conversion of the delta to a fresh water lake would certainly protect agriculture and canals. Debits include cumulative pollution, mosquitoes and lack of tidal flushing in remote areas.

There does not seem to be much support for re-evaluating barriers in the bay.

Gail H. Stanton for the Oro Loma Sanitary District

Portions of the plan and planning process are inadequate for the needs of wastewater agencies. Established subregional wastewater agencies should be designated as the agencies responsible for implementing the wastewater management plan.

Subregional agencies are so designated.

Robert H. Woodring, Pittsburg Chamber of Commerce

It appears that some of the plan covers areas that are not truly regional problems and are now being handled at a local level very effectively.

Some people would disagree.

Joseph Beeson

No mention is made of aqua regia, sulfuric and nitric acids that have been dumped by such firms as National Semiconductor in high enough amounts as to make detection of such potent and harmful acids as these impossible to have been kept from being detected. To decrease the outflow of fresh water to the bay from the Sacramento-San Joaquin Delta would, in my opinion, have a catastrophically negative effect on the air cleansing quality of the bay water that has been in effect for all these many many years. In my opinion it would be wrong to curtail

No response necessary.

Individual/Comment

Joseph Beeson (Cont.)

any more of the flow of the Sacramento-San Joaquin Delta water for whatever purpose -- San Felipe project or whatever. We need to understand how outflow of fresh water into the bay is necessary for our quality of life to continue.

Donald R. Ness, Peninsula Manufacturers Association

We are concerned that there is to be yet another layer of government to be added with the RWQCB, the EPA, plus numerous local sewer treatment authorities. These existing agencies are effective and they do use their authority.

Kenneth Jones, Central Coast California Regional Water Quality Board

Although Southern Santa Clara County is but a small portion of the ABAG area and its water-related problems undoubtedly have a low priority in the overall program, our review makes it appear that this region, and we, have been somewhat slighted. This Regional Board, its jurisdiction, and its Basin Plan are not included in the draft. Since there are at least two Regional Boards affected by ABAG's planning and its proposals, the continual referral to a single Regional Board is inappropriate. We identified erosion/sedimentation and unsewered communities as priority problems. We agree that land management plans developed by local Resource Conservation Districts may adequately address erosion when completed and implemented. However, this hardly comprises BMPs here and now. We also agree that a RWQCB-County Department of Health approach to addressing the on-site disposal systems is logical and reasonable. However, due to the rapid urban expansion into this area, we believe Santa Clara County's adoption on November 7, 1977, of interim zoning regulations to halt subdivision of parcels to less than 160 acres in the South Santa Cruz Mountains and their adoption on November 8, 1977 of a change in zoning to 20-acre and 40-acre minimum size parcels in the unincorporated areas of South Santa Clara Valley to be more timely and logical in this instance. Other concerns were percolation from agriculture and the unsewered area of San Martin. Your plan calls

Response

No new layer of government is proposed.

We apologize for our lack of reference to the Central Coast/RWQCB and will change the final EMP accordingly.

W

Water Quality Comments Not Specific To Policies and Actions
Page four

Individual/Comment

Kenneth Jones (Cont.)

for receiving water monitoring to be done by the San Francisco Bay Delta Research Program, implying a concern only with waters flowing into the bay. We recommend that all waters in your area be monitored, even if that is not already your plan.

Larry F. Walter, State Water Resources Control Board and
Fred H. Dierker, San Francisco Bay Regional Water Quality
Control Board

The EMP should also recognize that the boundaries of the San Francisco Bay 208 Area include all of the San Francisco Bay Region and portions of the Central Coast (lower Santa Clara County) and Central Valley (eastern Contra Costa and Solano Counties) Regions.

Alice Roylance for the City of Mountain View

Local policy on the draft EMP generally endorses the Planning Policy Committee of Santa Clara County position.

Concerned Taxpayers Group of Antioch

You did not say one word on the San Luis Drain that is tied to the peripheral canal that would allow thousands of gallons of agriculture wastes into the river in Antioch.

Bill Press for the Governor's Office of Planning and Research

This low-level program is disappointing in light of the vast amount of money that was expended in the 208 planning effort. The plan cannot be implemented in its present form. Largely a voluntary program, commitments to implementation have not been obtained from a myriad of agencies, including special and general purpose governments. In some instances, new institutional arrangements are envisioned which will require joint powers agreements. The enforcement powers of the Regional Board have not been adequately explored. The final plan should expand upon its implementation provisions if it is to warrant approval by EPA.

Response

See response to Kenneth Jones.

No response needed.

Not true - see pages III-4 and III-36 in Water Quality Plan.

The implication of the first statement is that an expensive planning program to be viewed as successful, must result in stringent controls even when a serious environmental problem does not exist. We disagree. Until recently the RWQCB refused to rattle the sabre of the general permit program for stormwater discharges. In the absence of any apparent future sanctions, surface runoff plans had to be developed by persuasion rather than coercion. Hence their voluntary nature. It has proved infeasible to attempt to obtain commitments to implement actions prior to their approval by policy bodies.

Individual/Comment

Response

Bay Area Bioregional Planning Group

Give top priority to Bay and Delta as source of food, both wild and nurtured. Treat waterways as native habitat for other species as well as for humans. Consider non-polluting marine transport. Waste segregation and waterless composting instead of industrial and urban sewage. Continue water conservation, watershed restoration and stream repair. There is no "excess" water in Northern California. There has been no adequate survey of life in San Francisco Bay in 50 years.

No response necessary.

Margaret Walkover, California Public Interest Research Group

CalPIRG researchers are deeply concerned that the Water Quality section contains no references to the numerous nuclear facilities in the Bay Area that are licensed to handle radioactive materials. We believe that the final EMP should be comprehensive enough to include a discussion of nuclear facilities in the Bay Area.

We are satisfied that present regulatory efforts adequately protect water quality at nuclear facilities in the region. Also see page III-165.

William E. Siri, Save San Francisco Bay Association

A major portion of the cost of implementing the WQMP will be incurred regardless of the plan. Conversely, we believe that the plan understates the public benefits - health, recreation, and economic - that will result from improved water quality under the plan recommendations.

No response necessary.

Rai Y. Okamoto for the San Francisco Planning Commission

The EMTF Water Quality Management Plan should be endorsed and supported with the following changes and/or amendments:
(a) Revise San Francisco's Waste Water Facility Project List (III-153). A current, approved list was submitted to ABAG on February 15, 1978 by the San Francisco Department of Public Works. (b) San Francisco should continue to question the need for the proposed trans-city discharge line and agree to construct it only if it is absolutely necessary to meet clean water standards for the Bay.

Item (a) has been done.

Individual/Comment

Louisa Jaskulski, PACE

Action 1.1 - The San Francisco Bay Delta Research Program, perhaps under the leadership of the San Francisco Water Quality Control Board, will provide an essential spearhead for more sensitive evaluation of bay and inland water pollution problems. This kind of data is essential, for example, in evaluating the impacts and necessity for various surface water control measures.

Janet Gray Hayes for the City of San Jose

Action 1.1 - Support with modification. We support establishment of this program, but question why the Plan proposed that it be set up under the auspices of ABAG rather than the RWQCB. There may be justification for assigning this program to ABAG, but it is not stated in the Plan. The research program is identical in purpose to the Integrated Receiving Water Monitoring Program proposed by the SWRCB and the RWQCB. We assume the SFBDRP would supercede that. The allocation of costs among individual dischargers is not specified. We assume it would be within acceptable limits.

Action 1.2 - Support.

Action 1.3 - Support.

Action 1.4 - Support.

Action 1.5 - Support.

Action 1.6 - Support.

Action 1.7 - Support with modification. RWQCB should be listed as the Implementing Agency rather than ABAG.

Gary Falati for the City of Fairfield

Policy 1 - (Modify) to assign overall responsibility for water quality management to the State Water Resources Control Board.

Response

A San Francisco Bay Delta Research Program was not approved by EMTF.

See response to Louisa Jaskulski.

Policy 1 does not propose changing responsibilities for water quality management.

Individual/Comment

Response

Stephen R. Thatcher, City of Antioch

Action 1.1 - As either a discharger or affected agency, the City would be faced with a proportionate share of the program's operating expense; the City would have at least a moral obligation and financial commitment (not to mention possible legal requirement) to abide by regulations and enforcement actions generated either directly or indirectly by the SFBDRP.

No response necessary.

R. D. Martin for the San Mateo County City Managers' Association

Action 1.2 - Include a stronger role for local governments and dischargers in establishing the technical requirements for monitoring or subsequent discharge requirements. Review program at the end of one year. This review should include a progress report and preliminary evaluation.

This was the intent of the original recommendation which has now been weakened considerably by EMTF action.

Bill Press, OPR

Policy 1 - OPR supports the establishment of SFBDRP. However, the implementation and financial aspects of this action are not sufficiently developed. A Joint Powers Agreement between "dischargers and affected agencies" is called for. These parties must be identified. Reliance on a voluntary agreement between dischargers and financing through discharger fees is overly optimistic. Commitments from dischargers should be obtained.

The recommendation establishing an SFBDRP was rejected by EMTF.

William E. Siri, Save San Francisco Bay Association

Policy 1 - We think it is important to stress that an effective and coordinated monitoring program for Bay and Delta water quality is essential.

We agree. This was proposed in the draft EMP. A somewhat weaker recommendation was approved by EMTF.

Ted T. Fukushima for the State Lands Commission staff

Policy 1 - Rather than the creation of yet another entity, duplicating much of the effort currently being undertaken,

No response necessary.

Water Quality Comments Specific to Policies and Actions
Page Eight

Individual/Comment

Response

Ted T. Fukushima (Cont.)

it would appear in the best interest of all concerned to look at which is currently being done and to develop a mechanism which would complement the efforts of the "numerous agencies." Since readily available data in a uniform format would benefit all the "numerous agencies", these agencies should be strongly urged to develop a coordinated research and monitoring program.

City of Novato Planning Department

Action 1.6 (EMTF-approved Action 1.4) - The Planning Commission recommends that this action be deleted entirely.

Why collect data and then not publish it in a useful and understandable form?

William H. Fraley for the Alameda County Environmental Management Citizens Advisory Committee

Policy 1 - The Committee concurs with the actions, provided they are carried out by the existing Water Quality Control Board.

No response needed.

Ronald B. Robie, State Department of Water Resources

Action 1.4 - The DWR is conducting an extensive monitoring program that extends into San Pablo Bay. This program is indicative of the Department's fulfilling its responsibility to protect and, where possible, enhance environmental resources. The desirability of extending these existing studies and the determining of their magnitude should be decided by the State and RWQCB. This would avoid duplication of effort, increase efficiency and provide continuity to water quality management policies.

No response necessary.

Individual/Comment

Janet Gray Hayes, City of San Jose

Action 2.1 - Support

Action 2.2 - Support. Why do standards only apply to winter overflow? Shouldn't there be standards year round? Does this affect the peripheral canal system?

Action 2.3 - Support with modification. RWQCB should have the primary responsibility in the continuing planning process. ABAG's role should be to integrate it into annual update of the EMP.

Action 2.4 - Support. We support the periodic updating of the Plan, but it is unclear as to the significance of the phrase "...in conformance with other environmental goals." The implementing agency should be the EMTF, rather than ABAG.

William H. Fraley, Alameda County Environmental Management
Citizens Advisory Committee

Action 2.1 - The Committee concurs with the action, with the provision that EMTF is an interim group until January 1980, at which time the need for continuance would be evaluated.

City of Novato City Council

Action 2.1 - Responsible agency should be changed from EMTF to RWQCB. EMTF is only a policy advisory body.

Action 2.4 - Schedule for action should be changed from "every two years" to "as conditions warrant."

William H. Fraley

Action 2.2 - Amend language to read: "Establish interim standards for delta outflow to Bay during winter months.

Response

State standards for summer flows already protect Bay adequately. The recommendation does not directly affect the Peripheral Canal.

Role is defined in State Program Guidance Memorandum No. 11.

EMTF is an ABAG committee which may or may not continue to exist.

EMTF's future is uncertain at this time.

RWQCB has already approved the water quality objectives.

Law requires periodic updating.

See response to Janet Gray Hayes.

Water Quality Comments Specific to Policies And Actions
Page Ten

Individual/Comment

Response

William H. Fraley (Cont.)

This will have priority over export of water to the San Joaquin Valley and Southern California. The final standards should be based on assurance that the system does not fall below a minimum acceptable salinity level in the Delta in all seasons." The Committee requested staff to ask ABAG why the interim standard referred to in Action 2.2 Page III-52 is based on winter months and why no standards are set for summer months.

Action 2.3 - Approve.

Action 2.4 - Approve. The Committee requested staff to ask ABAG for an explanation of the high cost of \$50,000 on actions 2.4 and expressed concern over the apparent duplication of function of RWQCB and ABAG indicated in the action.

The cost estimate is probably low--only 1½ man-years.

Larry F. Walker/Fred Dierker, State and Regional Water Boards

Action 2.1 - We recommend that Action 2.1 be amended to read as follows: "Incorporate water quality objectives presently adopted by the State and Regional Boards as contained in Section H."

Agree.

Bill Press, OPR

Policy 2 - OPR supports the recommendation that SWRCB establish an interim standard for delta outflow, with a final standard to be adopted subsequent to research conducted by SFBDRP. OPR disagrees with maintaining the separation of water quality planning into basin planning (for point source) and 208 planning (non-point source). From a planning perspective, it is only rational to consolidate these programs into a single planning effort. This view is supported by EPA.

Agree.

Individual/Comment

Ronald B. Robie for the State Department of Water Resources

Action 2.2 - The proposed (Delta) outflow allotment is not supported by conclusive evidence at this time. No current information exists which describes the direct environmental benefits to the Bay resulting from outflow releases of the magnitude proposed in the recommended interim standard. In addition, the proposed standard could severely impact the Central Valley water supply. The Department strongly recommends that a quantified interim elevated Delta outflow standard be eliminated from the EMP. Language generalizing the effects of Delta outflow on the Bay's environment should reflect presently available scientific information.

Gilbert R. Marguth, Zone 7, Alameda County Flood Control and Water Conservation District

Action 2.1 - We are writing (about) water quality standards that are to be achieved for Alameda Creek. Our Board has consistently opposed these standards as both arbitrary and discriminatory, and we firmly believe that they should not be a part of this document. It is unthinkable that this is the only area in all of the region to be covered by this environmental management plan where groundwater percolation is a potential problem.

Amy Pinkerton and Harvey Rose

Policy 3 - We are also glad to hear that the ABAG plan would clean up the Bay and reestablish shellfishing. May we suggest that a good way to clean up water is through growing and harvesting of water hyacinths.

Janet Gray Hayes, City of San Jose

Policy 3 - Support. Indirect impact is unclear but could result in more stringent controls or significant costs to local government to clean up surface runoff.

Response

We recognize the lack of information on the effect of delta outflow on San Francisco Bay and the possible impracticability of releases of the size suggested. It does seem prudent, however, to establish an interim standard that may err on the side of overprotection until we have enough information to establish more precise standards.

The standards in question have been adopted by the RWQCB. The Livermore Valley does have certain unique characteristics in the region.

No response necessary.

No response necessary.

Individual/Comment

Janet Gray Hayes (Cont.)
Action 3.1 - Support.

Action 3.2 - Support.

Action 3.3 - Support.

Action 3.4 - Support.

William H. Fraley, Alameda County Environmental Management Citizens Advisory Committee

Policy 3 - Amend the policy to read: "Investigate the technical and economic feasibility of recreational and shellfish harvesting in the Bay." Because of the above actions by the Committee, it was determined that actions on 3.1, 3.2, 3.3, and 3.4 are unnecessary. The Committee requested staff to ask ABAG why the schedules for action on 3.1 is for February 1978 and on 3.2 for June 1978, one date having already passed and the other imminent.

Clayton E. Brown for the City of Pleasanton

Policy 3 - This policy states a desirable objective but does not relate to feasibility or what the costs of re-establishing recreational and commercial shellfish harvesting in the Bay. Amend the policy statement to read "Investigate the feasibility of re-establishing recreational and commercial shellfish harvesting in the Bay."

Bill Press, OPR

Policy 3 - It is appropriate that the Plan include actions to assess Bay shellfish beds. However, commitments to implement these actions should be obtained by the State Departments of Health and Fish and Game. Further, an analysis of existing authorities and responsibilities should be conducted to determine if currently funded programs could properly include the proposed activities.

Response

We do not believe further feasibility studies are needed. The plan was published in December 1977.

Billions of dollars are already being spent to clean up the Bay. The actions recommended to re-establish shellfishing are relatively small. We do not believe further feasibility studies are needed.

The responsible agency for several actions has been changed to RWQCB. The actions are funded and are part of the Board's work program.

Individual/Comment

Kenneth Buell, Environmental Health Services Branch,
State Department of Health

Policy 3 - Our findings indicated that none of the (shellfish) beds surveyed (in San Francisco Bay) was safe for taking shellfish for human consumption. We agree that sanitary surveys of shellfish beds should be made when the subregional wastewater projects have been implemented and other discharges of wastes containing fecal matter are removed from the influence of the beds proposed to be opened to the public for sport shellfishing. We recommend that water quality over shellfish beds which would be harvested the year around and at public beaches and other water contact areas when open to the public meet Maintenance Level A.

Janet Gray Hayes, City of San Jose

Policy 4 - Support. As an additional means of implementing this policy, dischargers should be required to submit contingency plans indicating actions to be taken in the event of equipment breakdowns and strikes by treatment plant operating personnel.

Action 4.1 - Support.

Action 4.2 - Support.

Action 4.3 - Support.

Action 4.4 - Oppose. This would appear to duplicate the efforts of the Water Pollution Control Federation. More information should be provided to justify the need. If the need does exist, the implementing agency should be the RWQCB.

Action 4.5 - Oppose. This too would seem unnecessary. If a need is demonstrated, the implementing agency should be the RWQCB.

Response

We believe that the considerable improvement in bacteriological water quality observed in recent years justifies beginning sanitary surveys.

Good suggestion. Could be considered in continuing planning phase.

Eliminated by EMTF.

Eliminated by EMTF.

Water Quality Comments Specific to Policies and Actions
Page Fourteen

Individual/Comment

Stephan R. Thatcher, City of Antioch

Action 4.1 - In addition to the initial cost of construction, the local jurisdiction (City of Antioch by agreement to the Sanitation District) will fully fund the operation and maintenance of such facilities. The actual cost will be determined by annual budgets.

City of Novato

Action 4.3 - This action should be deleted. It is unnecessary and costly.

William H. Fraley, Alameda County Environmental Management
Citizens Advisory Committee

Policy 4 - Amend to read: "Ensure that Water Pollution Control Facilities or Measures Effectively Protect Water Quality."

Action 4.1 - Approve.

Action 4.2 - Approve.

Action 4.3 - If this information is presently available or may be required by Federal regulation, then the Committee questions the need for a summary report. If not presently available, the Committee recommends that the report be combined with the summary of the State of the Waters report.

Action 4.4 - Recommend deletion.

Action 4.5 - Recommend deletion.

Response

No response necessary.

Very large sums of money are spent collecting data. It seems reasonable to spend a relatively small additional amount publishing the data in a useful form.

Agree.

It is not available; combining with "State of Waters" report is a good suggestion.

Deleted by EMTF.

Deleted by EMTF.

Individual/Comment

Response

Clayton E. Brown, City of Pleasanton

Policy 4 - ABAG involvement would seem to be redundant or unnecessary. Under action 4.4 and 4.5, delete ABAG as the implementing agency and substitute the RWQCB.

Deleted by EMTF.

City of Novato

Policy 4 (as approved by EMTF) - Staff and the Planning Commission recommend that the word "pollution" be changed to "treatment."

"Water treatment facilities" usually refer to potable water treatment.

Action 4.1 (as approved by EMTF) - Staff and the Planning Commission recommend the following rewording: "Issue and update monitoring requirements to ensure that municipal and industrial wastewater systems operate effectively."

Clear and to the point, however, others wish to retain reference to permits.

W. H. Parness, City of Livermore

Policy 4 - (Amend to read:) "Ensure that water pollution facilities or measures effectively protect water quality, as such may be established by existing state regulatory agencies."

This is the intent of the existing language.

15

Janet Gray Hayes, City of San Jose

Action 5.1 - Support.

Action 5.2 - Support.

Action 5.3 - Support.

Gary Falati, City of Fairfield

Policy 5 - (Modify) to indicate that any change in new discharge requirements under policies 4 and 5 should involve local government and that sharing responsibility for discharge limits or permits with EMTF is not necessary.

Local government is not currently involved in setting discharge requirements. Local government through ABAG could have a greater role if ABAG shared part of the RWQCB's responsibilities. Most local governments have opposed this, preferring to have no voice in standard setting.

Individual/Comment

William H. Fraley, Alameda County Environmental Management
Citizens Advisory Committee

Policy 5 - The Committee recommends support of Policy 5 within the limits of social and economic feasibility as explained in the statements for Policy 5 on Page III-46.

Larry F. Walker/Fred Dierker, SWRCB/RWQCB

Action 5.1 - We recommend that the general description under Action 5.1 be amended by adding the following to the existing language: "The SWRCB must review and approve all facilities proposed pursuant to Section 201 of P.L. 92-500."

William T. Leonard, the Hoffman Company

Policy 5 - The list (should) be revised to include "all sewer plant expansions that have been previously issued NPDES permits."

Bay Area Council

Action 5.1 - As action 5.1 is stated in the draft Plan, it is not clear whether the action proposes expansion of wastewater treatment facility capacity in the region or upgrading of treatment levels or both. Our recommended amendments are intended to clarify that confusion, ensure that the list of approved projects is based on demonstrated needs, and simplify development of the project list. (Amend to read:) "Expand capacity of existing facilities and provide new facilities for municipal sewage collection, treatment, and disposal, according to demonstrated needs."

Action 5.3 - (Amend to read:) "Develop and update, as required, project list reflecting demonstrated needs for new sewage treatment facilities." Implementing Agency - RWQCB.

Response

No response necessary.

We feel it is not necessary to add the sentence. It is not clear whether SWRCB must approve projects on the list that are not supported by Federal and State grants.

In general the list does. The few exceptions will be reviewed case-by-case.

The action has been amended in accordance with the sense of this recommendation.

The list must be consistent with other parts of the plan.

Individual/Comment

Clayton E. Brown, City of Pleasanton

Policy 5 - Request a clarification of "needed" in the policy. Request that the second phase of the DSRSD plan expansion be shown as necessary under both growth scenarios. Request that a 2.75 mgd sewerage treatment facility to replace the existing Sunol Plant be added to the 20 year project list (design in 1978-79, construction in 1979-80 and 1980-81). Note: This request should be a contingent request to be implemented if consolidation agreements have not been completed by 7-1-78.

R. D. Martin, San Mateo County City Managers' Association

Action 5.1 and 5.2 - Include local governments and dischargers in the decision-making process for both of these actions.

Bill Press, OPR

Policy 5 - The 20-year project list is a requirement of EPA regulations. These regulations require that the identification of needs consider the population to be served, based on projected growth for the 20-year period. ABAG's 20-year list does not provide this. According to the Plan Recommendation for Policy 5, "Inclusion on the list establishes that such projects may be eligible for future State and federal assistance." This is inadequate. The project list should be ABAG's recommendation for future treatment facilities with capacities which are in accord with population projections.

Action 5.2 - Because NPDES permits are the most important Federal requirement for assuring that a 208 plan is adhered to, this action should include the directive to begin immediately updating all NPDES permits and/or discharge requirements upon adoption of the 208 plan by EPA.

Response

Cannot add DSRSD second phase expansion under both growth scenarios and remain consistent with Series 3 projections and AQMP. If consolidation agreements with DSRSD fail, the 20-year list can be modified.

The intent of the recommendation was to accomplish this through a greater ABAG role in water quality management. Most cities and counties object to ABAG involvement and thus appear to prefer to be unrepresented in the decision-making process.]

The list is ABAG's recommendation for future wastewater facilities needed to serve the expected population. Timing of facilities construction and facilities capacities are consistent with the population projection as stated in the draft EMP.

Water quality standards can be met with existing or soon to be completed treatment facilities. For this reason the plan does not recommend treatment levels higher than those currently required by law. In general, permits are already in conformance with the EMP and consequently, there is no urgent need for updating.

Individual/Comment

Response

William Siri, Save San Francisco Bay Association

Policy 5 - We are apprehensive about the potentially growth-inducing effect of these facilities. Approval of these facilities should be related to both water quality and other regional considerations - air quality, water supply and solid waste management.

The facilities are consistent with population projections which are the basis for the AQMP. The plan attempts to integrate all regional environmental considerations.

W. H. Parness, City of Livermore

Action 5.3 - ABAG should not be in the role of policy maker.

EMTF eliminated this action.

Janet Gray Hayes, City of San Jose

Policy 6 - Modify. This may be a desirable policy in general, but it should be modified to indicate that it is not a mandate that the South Bay Discharger's sub-regional interceptor and outfall (the "Super Sewer") must be constructed. Consideration should also be given to the relationship between consolidation and reclamation/reuse. They may be in conflict. The RWQCB should be listed as the implementing agency.

See response to Santa Clara County Board of Supervisors.

Richard C. Rhodes, M.D., Santa Clara County Medical Society

Policy 6 - Ongoing and further studies are necessary before new sewers are constructed.

Studies of this type are always required prior to construction.

Clayton E. Brown, City of Pleasanton

Action 6.1 - Action 6.1 should include a statement indicating consolidation of treatment facilities should be encouraged but the standard of cost effectiveness be applied to local agencies as well as the State and that institutional arrangements necessary for consolidations not require the de facto transfer of governmental powers from one agency to another.

Beyond the scope and intent of recommended action.

Individual/Comment

Response

Contra Costa County Planning Department

Policy 8 - We find there is no mention of Best Management Practices (BMP). We feel this is a lack in the EMP which could possibly delay its approval by EPA, especially since EPA appears to have a particular interest in BMP. It may be wise to consider adding text and an action item appropriate for the ABAG-RCD-RWQCB management, more or less along the following lines: Action 8 - Analyze Best Management Practices. Continue analysis of BMP including contributing to statewide analysis and aiding in regionwide analysis and recommendations.

Low cost control measures are the same as BMPs. Reference is made to BMPs in the text.

Louisa Jaskulski, PACE

Policy 8 - The surface water runoff element of the plan represents the first cut by many of the counties at acknowledging and documenting surface water runoff problems within their boundaries. The results from the counties were therefore uneven. Many of the recommendations are easily implementable - such as recommendations for ordinances controlling erosion/sedimentation runoff from construction and road cut sites. The recommendation for establishing extensive oil recycling should also receive positive attention as it could provide jobs and hopefully become a self-sustaining industry, as well as providing a solution to a water pollution problem. The plan itself acknowledges that more data is needed regarding the extent of other kinds of runoff pollutants, such as heavy metals from street surface, and the ways and extent to which such pollutants impact inland and bay waters.

No response necessary.

Amy Pinkerton and Harvey Rose

Policy 8 - Street sweeping to cut down city pollution is also a good idea, although of course it is best to stop pollution at the source.

No response necessary.

Individual/Comment

Janet Gray Hayes, City of San Jose

Policy 8 - Support with modificaiton. The following statements, or words to their effect, should be added to Policy 8: "The specific surface runoff control measures to be employed in each county will be determined primarily by the county's surface runoff management plan."

Action 8.1 - Support.

Action 8.2 - Support.

Action 8.3 - Support.

Action 8.4 - Modify. Litter was identified as a problem in Santa Clara County's Surface Runoff Management Plan. The list of implementing agencies should be amended to include local governments in Santa Clara County.

Action 8.5 - Support.

Action 8.6 - No recommendation. This is not applicable to Santa Clara County.

Action 8.7 - Modify. The list of implementing agencies should be amended to delete the reference to Santa Clara County. Septic tank pollution was not identified as a serious problem in the Surface Runoff Management Plan for Santa Clara County.

Action 8.8 - No recommendation. Not applicable to Santa Clara County.

Action 8.9 - Support.

Action 8.10 - Support.

Response

Policy and actions have been modified to be consistent with this comment.

Actions 8.1 through 8.16 as originally stated in draft plan have been eliminated.

Individual/Comment

Response

Janet Gray Hayes (Cont.)

Action 8.11 - Modify. The list of implementing agencies should be amended to delete the reference to Santa Clara County. This was not identified as a serious problem in Santa Clara County.

Action 8.12 - No recommendation. Not applicable to Santa Clara County.

Action 8.13 - Modify. The list of implementing agencies should be amended to delete the reference to Santa Clara County. This was not included in the Santa Clara County Surface Runoff Management Plan.

Action 8.14 - Support.

Action 8.15 - Support.

Action 8.16 - Support.

Gary Falati, City of Fairfield

Policy 8 - (Modify) to require each County to establish a program of surface runoff control measures according to each county plan.

This has been done.

Richard C. Rhodes, M.D., Santa Clara County Medical Society

Action 8.7 - We recommend further studies may be necessary to show whether surface runoff pollution of septic tanks is a problem in Santa Clara County.

Stephen R. Thatcher, City of Antioch

Policy 8 - Should minimum (regionwide) standards be adopted, the City may be required to improve street sweeping activities, clean stormwater collection systems and introduce and enforce anti-littering legislation.

No response needed.

Individual/Comment

Stephen R. Thatcher (Cont.)

However, the WQMP has not strongly recommended such action and is not likely to do so until further studies warrant such action. (This does not preclude a county-wide approach to the problem.)

City of Novato

Action 8.2 - Delete ABAG under responsible agencies.

Frank E. James for the City of Sonoma

Policy 8 - The proposed Surface Runoff Management Plan for Sonoma County is not and will not be acceptable to the City of Sonoma until the following changes are made: (1) Sonoma County must adopt and participate in the implementation of the plan; otherwise the cities of Sonoma and Petaluma will not be required to adopt and participate. (2) Services to be provided by the Cities of Sonoma and Petaluma Public Works Departments must also include the County of Sonoma Public Works Department. (3) Any tax levied for development of a program or actual street-sweeping in the unincorporated area will be on a service-area basis excluding the Cities of Sonoma and Petaluma. (4) All commercial and heavily traveled streets in the unincorporated area (particularly Highway 12 and Arnold Drive) are curbed and guttered for street sweeping. (5) The value of using a vacuum sweeper has not been proven to justify the cost; therefore, we are recommending that this recommendation be deleted. (6) Ordinances, manuals and pamphlets will not be funded by the cities unless they relate to city problems and then only in proportion to the affected population. (7) All references to a 208 coordinator or similar positions are deleted. (8) Delete the recommendation regarding treating and storing of storm runoff, as this is totally unrealistic.

David Romain, Oakland: Add actions for recommending minimal paving in developments and assess shopping centers with excessive parking the direct costs of added surface runoff impact.

Response

See response to Janet Gray Hayes.

All county surface runoff plans are to be revised by the counties in response to comments in the next few months.

See response to Frank James above.

Individual/Comment

City of Novato City Council

Action 8.2 - A description of this action is necessary.

Clayton E. Brown, City of Pleasanton

Policy 8 - The policy statement and all of the actions relating thereto should be amended to reflect that each will be studied for effectiveness and economic feasibility and that any implementing actions by local agencies would be on a voluntary basis.

R. D. Martin, San Mateo County City Managers' Association

Action 8.1 - Add a provision that County Surface Runoff Plans should be adopted by the Counties, preferably by the formula of a majority of the cities representing a majority of the population.

Action 8.3 - Add local governments and lead agency as responsible agencies which will assist in identifying and selecting regional aspects of surface runoff planning, and will participate in a joint work Plan.

Bill Press, OPR

Policy 8 - While OPR recognizes that the political feasibility of an expensive, local surface runoff program may be questionable, the Plan should propose a program at the appropriate government level to abate runoff, and leave the determination of political acceptability to the public review process. Thus we find the surface runoff plan to be disappointing. Commitments to implementation by appropriate local jurisdictions should be obtained. A declaration should be obtained from the Regional Board with regard to its authority and a commitment to utilize this authority to enforce BMPs. With the assistance of Resource Conservation Districts

Response

This action has been removed as stated in the draft EMP.

The rather modest control measures contained in the county are those that have been judged by the counties to be effective and feasible.

The former has been adopted.

This is intended to occur although is not stated in the plan as approved by EMTF.

See response to Bill Press - General comments. At the outset of this program it was decided that the surface runoff plans should be prepared by the probable implementing agencies. In this way, implementability would be bought at the expense of technical quality, accepting that premature judgments of political feasibility might enter into the process. The alternative was to prepare a purely technical plan and then try to sell it to implementing agencies which had not been involved in the planning process. We still believe this was the right decision.

Individual/Comment

Response

Bill Press (Cont.)

and the Soil Conservation Service, model ordinances should be one of the first tasks assumed by ABAG in the continuing planning process.

Action 8.7 - Additional criteria should be provided to assure consistency with the compact growth scenario. The ordinances should prohibit new septic tanks which encourage leap-frog development and are not consistent with the land use policies of the EMP.

Priscilla C. Grew for the California Department of Conservation

Policy 8 - Our review left us with the strong impression that nonpoint pollution was only casually considered in the plan. Although the report acknowledges that nonpoint pollution will be the principal source of water quality problems after presently planned wastewater facilities come into operation, minimal levels of control of this source are recommended. The view expressed in the report that such control can be achieved, through good urban "housekeeping" practices (best management practices), with modest funding seems overly simplistic and somewhat in conflict with the recognition that nonpoint pollution will become a significant problem throughout the ABAG area. We believe that a great deal more could be done to ensure that the nonpoint pollution control element becomes more than a discretionary list of passive measures.

Approximately 1/3 of the study effort was directed at nonpoint source pollution. Although nonpoint sources are clearly significant pollutant sources, doubts exist concerning the seriousness of their environmental effects and the effectiveness of controls. It seems inappropriate to attempt to impose stringent controls which may be ineffective, to deal with a pollution problem that may not exist.

W. H. Parness, City of Livermore

Action 8.1 - Should be an advisory action, not mandatory unless funds are provided for implementation.

This action was eliminated by EMTF.

James L. Harberson for the City of Petaluma

Policy 8 - The proposed Surface Runoff Management Plan for Sonoma County is totally unacceptable to the City of Petaluma unless the following changes are made:

See response to Frank E. James, City of Sonoma.

Individual/Comment

Response

James L. Harberson (Cont.)

(1) A 208 coordinator or a similar type position is not needed and is simply a waste of taxpayers' money. It should be eliminated. (2) Sonoma County must adopt and participate in all implementation aspects of the Plan. (3) Sonoma County Public Works Department must join the Public Works Department of the Cities of Sonoma and Petaluma in any project required by the Plan. (4) Any taxes required for the development of programs for actual street sweeping, curb and gutter construction, agricultural runoff control or any other policies affecting the areas outside the City Limits of Sonoma and Petaluma must be generated in a service area excluding the Cities of Sonoma and Petaluma. (5) The vacuum sweeper is not a proven device and is, therefore, not cost effective. Consequently, its requirement should be deleted. (6) In general, we feel that most of the ordinances, manuals, and pamphlets described in the implementation section of the Plan are either already in existence or unneeded. If any are needed, then the City funding should be in direct proportion to the population. (7) Any recommendation of treating and storage of storm runoff without massive Federal funding is totally unfeasible. Unless this funding is guaranteed, these requirements should be deleted.

William Siri, Save San Francisco Bay Association

Policy 8 - Surface runoff may become a major source of water pollution. We support the plan recommendation for a continuous monitoring program to identify surface runoff problems and indicate the effectiveness of control measures. Since Bay pollution from surface runoff is a regional problem, we believe that a regional agency should have responsibility for coordinating necessary control measures.

Agree. This is proposed in the plan approved by EMTF.

Individual/Comment

Response

Janet Gray Hayes, City of San Jose

Action 9.1 - Support.

Action 9.2 - Support.

Action 9.3 - Support.

Action 9.4 - Support.

Janet Gray Hayes, City of San Jose

Action 10.1 - Support.

Action 10.2 - Support.

Action 10.3 - Support.

Action 10.4 - Support.

Action 10.5 - Support.

Action 10.6 - Support.

William Siri, Save San Francisco Bay Association

Policy 10 - We agree that a single agency should be designated to coordinate and improve these (vessel spill cleanup) efforts.

This was rejected by EMTF.

W. H. Parness, City of Livermore

Policy 10 - Change to read: "Reduce sewage pollution from ships and boats in marinas."

Current EMTF-approved wording: "Reduce sewage pollution from vessels, including houseboats, in the Bay-Delta system."

Marty Mercado for the State Department of Navigation and Ocean Development

Action 10.1 - Our department would like to receive monitor reports and documentation of vessel waste pollution.

It was the intent of Action 1.6 that such reports be made more readily available to all interested parties.

Individual/Comment

Marty Mercado (Cont.)

Action 10.2 - Establishment of no-discharge zones within the Bay area should provide for enforcement.

Action 10.3 - Our department currently has a program which serves to inform the boating public of marine sanitation device regulations.

Action 10.4 - It is much too simple to state that all marinas must provide sewage pumpout facilities for boats. First, one has to define what the minimum marina would be. In addition, before public funds can be used for a project of this type, an economic justification and supply/demand analysis must be prepared. What agency is going to enforce Action 10.4? (SWRCB and BCDC permit programs only apply to new marinas; what about existing harbors?) A boat sewage pumpout station at "all" marinas cannot be absolutely insisted upon without consideration of the method of sewage disposal. In many circumstances it would be physically difficult and/or prohibitively expensive to retrofit marinas with a "total" boat sewage pumpout capability. We estimate that the minimum cost for installing pumpout stations at all marinas that presently do not have these facilities is \$1,200,000 (not \$500,000 as stated in the report) plus other costs as needed including land acquisition, power and sewage lines, etc.

Action 10.5 - All DNOD loan-funded marinas in the Bay Region have restrooms for the use of boaters. We do not feel it is the responsibility of our department to provide funds for restrooms at private marinas.

Action 10.6 - Each respective level of government, and individual owners in the case of private marinas, should be financially responsible for providing, if required, boat sewage pumpout stations and restrooms at marinas within their jurisdiction.

Response

"No-discharge zones" are a legal classification. Enforcement would automatically be carried out by U.S. Coast Guard.

Assuredly your program is commendable and would be closely reviewed for applicable features.

Some small marinas remote from sewerage service could provide a storage tank for later pumpout by truck. A marina only need have a pumpout facility of a sophistication justified by the marina's size. The requirement that all marinas be so equipped is impartial and also recognizes human weakness when it befalls a boat owner to travel an additional 5-10 miles to get a holding tank emptied.

We recognize that DNOD would have to change policies on the distribution of funds, but the result would help everyone to better enjoy our waterways.

They are, but this does not preclude additional financial aid.

Individual/Comment

Response

Stephen R. Thatcher, City of Antioch

Action 10.2 - The direct cost to local government is unknown. The actual implementing agency is the U.S. Coast Guard.

No response needed.

Action 10.4 - Marina and harbor facilities owned and operated by the City of Antioch would be required to provide such tank and pumpout equipment. The initial costs may be supported with State and Federal grants.

No response needed.

Action 10.5 - The City's boat launching facilities provide public restroom facilities. Any new marinas, harbors or boat launching facilities will be required to provide restrooms. The cost of such facilities would be negligible relative to the overall cost of new development.

Agreed.

Water Quality Comments Specific to Policies and Actions
Page Twenty-Nine

Individual/Comment

Response

Janet Gray Hayes, City of San Jose

Action 11.1 - Support.

Action 11.2 - Support with modification. Actions 11.2 and 11.3 should be consolidated as follows: "Require periodic public inspection of on-site disposal systems and establish procedures to ensure proper maintenance." We believe this would still achieve the intended objective, but would provide greater flexibility to local agencies in implementing the policy.

Agree with this suggestion. Plan has been modified accordingly.

Action 11.3 - Support. See comments for Action 11.2.

Action 11.4 - Modify. As currently written, this policy may be inconsistent with the recommendations regarding "compact development" in the AQMP. The policy should be modified to take this into consideration.

Consistency with AQMP would have to be judged case-by-case. In certain circumstances sewers must be installed for water quality reasons regardless of secondary impacts.

Action 11.5 - Support.

Action 11.6 - Support. We assume this implies systems managed by public agencies.

It does.

Clayton E. Brown, City of Pleasanton

Policy 11 - Request clarification of policy. Request amendment to policy to read: "Improve wastewater disposal practices in unsewered areas consistent with regionwide and local development policies."

EMTF modified policy to read simply: "Improve wastewater disposal practices in unsewered areas."

Bill Press, OPR

Policy 11 - These actions are entirely appropriate measures to safeguard water quality in regard to current State policy to encourage innovative, less costly sewage treatment systems.

No response necessary.

Individual/Comment

Response

Bill Press (Cont.)

Action 11.2 - The public management of on-site disposal systems as specified in Action 11.2 should include locational criteria. In addition, the local agencies which will perform these management functions need to be identified.

Action 11.6 - OPR strongly supports Action 11.6 which calls for revision of the Clean Water Grant Program to provide for increased eligibility for funding on-site systems.

City of Novato

Action 11.4 (as approved by EMTF) - Staff and the Planning Commission recommend the following rewording: "Where existing on-site systems are inappropriate, install an appropriate on-site system or sewerage system." Agencies which can mandate the change in systems must be designated under responsible agencies.

We agree the door should not be closed to acceptable on-site systems when septic tanks fail.

Action 11.5 (as approved by EMTF) - Staff and Planning Commission recommend adding the following: "including alternatives to septic tank systems."

The term "on-site disposal systems" includes, but is not limited to, septic tank systems.

W. H. Parness, City of Livermore

Policy 11 - (Amend to read:) "Approve wastewater disposal practices in unsewered areas consistent with regionwide urban development policies."

EMTF approved the following: "Improve wastewater disposal practices in unsewered areas."

Action 11.2 - (Amend to read:) "Establish that existing local agencies assume public management of new on-site systems where such systems are technically appropriate and meet all other EMP requirements."

EMTF approved actions that require public inspection of new and existing systems rather than complete public management.

Action 11.3 - (Amend to read:) "Strongly encourage public management of existing on-site systems."

See above.

Water Quality Comments Specific to Policies and Actions
Page Thirty-One

Individual/Comment

W. H. Parness (Cont.)

Action 11.4 - (Amend to read:) "Where on-site systems are inappropriate, install sewerage systems, or preferably, require interconnection with an existing public system."

Bessie Watkins for the San Francisco Bay Conservation and Development Commission

Action 12.1 and 12.2 - Combine actions 12.1 and 12.2 and reword as follows: Under "Recommendations", "Determine if additional coordination and other measures are needed in the prevention and cleanup of oil and hazardous material spills." Under "General Description", "Report to Governor and Legislature on spill control and clean-up coordination efforts and on recommended improvements in the existing system." Under "Implementing Agency", "Inter-Agency Tanker Task Force (through the Resources Agency)". Under "Schedule for Action", "In process." Under "Legal Authority", "Administrative action under existing authority." Under "Total Cost per Year", "None (existing manpower.)" Under "Portion of Total Cost Attributable to this Plan", "None." Under "Financing Mechanism", "None needed." Under "Measures to Ensure Implementation", "Voluntary, as well as possible state administrative or legislative action."

Janet Gray Hayes, City of San Jose

Action 12.1 - Support.

Action 12.2 - Support.

Action 12.3 - Support.

Action 12.4 - Support.

Action 12.5 - Modify. Neither Action 11.3 nor 11.5 appear to be related to Policy 12. Action 12.5 should be corrected or else deleted.

Response

Agree with sentiment. Difficult to require for water quality reasons.

EMTF completely revised these actions.

This error has been corrected.

Individual/Comment

Response

Janet Gray Hayes (Cont.)

Action 12.6 - Support.

Action 12.7 - Support.

Action 12.8 - Support.

W. H. Parness, City of Livermore

Action 12.5 - Delete. Unclear.

Agree. EMTF eliminated.

WATER SUPPLY PLAN COMMENTS

January 3, 1978 to
February 16, 1978

WATER SUPPLY MANAGEMENT PLAN - COMMENTS NOT SPECIFIC TO POLICIES AND ACTIONS

Individual/Comment:

F.E. Wilts, San Leandro Manufacturers' Association

"This plan may well be over-reaction to recent water scarcity experience. It should be scaled down from its projected \$45 million per year capital expenditure program with residual emphasis on conservation and wastewater reclamation projects."

"Administrative/Staff costs are excessive and should be reduced by an arbitrary 50%. The \$1.2 million, first year projects for proposed 'studies,' 'evaluations,' 'reviews,' and 'surveys' should be implemented over a two to three year time frame."

James P. Connolly, Deputy City Manager, for the City of Milpitas

"In general, we have no serious objections to the ... Water Supply element of the draft Environmental Management Plan."

Jon Q. Reynolds, President, East Bay Municipal Utility District

"The three policy statements listed in the plan recommendations (pp. IV-33 through 49) are principles that have guided and will continue to guide water management in the East Bay Municipal Utility District. Most of the actions proposed with respect to those policies will be acceptable if certain amendments are made.

ABAG Staff Response:

Source of \$45 million figure is not known. The plan calls for WMCC to look into that matter.

An arbitrary reduction does not seem reasonable. Extending the first year activities will be considered.

We do not agree that no conclusions can be drawn about the impact of the drought without detailed studies. There was a 30% regionwide reduction in consumption during the drought. That gives a general estimate of the reduction in water system yield because of the drought. That number is obviously not as refined as it could be. It is regionwide, it does not consider storage at the drought's conclusion. But it does provide information on the drought's effect. More detailed analyses are needed, though.

Individual/Comment:

Jon Q. Reynolds, President, East Bay
Municipal Utility District - Continued

"However, we find that the analysis of the water supply situation presented in the plan (pp. IV-1 through 32) is misleading. A number of statements supporting the plan's conclusions involve questionable assumptions or appear to be facts which cannot be substantiated. We expect the drought to have a significant impact on water supply planning, but we cannot determine that impact until studies are made after water supply conditions return to normal. No useful purpose is served by making assumptions now on what that impact might be.

"There are two fallacies which appear to be the foundation of the plan. First is that the drought has demonstrated that we can cut water use substantially without great hardship. The full impact of the drought has not been determined. We know there has been a significant loss in landscaping, a substantial personal inconvenience, and a deterioration of water quality. The public may not consider these to be tolerable as an ongoing feature of water supply planning.

"The plan criticizes both water supply planning by Bay Area water agencies and the way the water industry is organized, while ignoring the effective planning that has been done by many water agencies. Inherent in this criticism is that water agencies have not effectively cooperated in time of water supply emergency. This is not true, for example, EBMUD, over the years, has assisted a number of other water agencies by supplying water through emergency connections. There is an excellent record of cooperation and timely response. The most recent, of course, was the cooperative effort during the drought."

ABAG Staff Response:

The plan does not say that water use can be cut substantially without hardship. The plan recommends a 12-15% continuing reduction below the use projected without considering this last drought. This is compared to 30% cut regionwide and almost a 60% cut in Marin County during the drought. We agree that those levels of conservation impose hardship. Those levels are not proposed.

These constraints have not been emphasized. They will be.

Criticism was not the intent. The narrative portion of the plan will be modified to remove that implication.

Individual/Comment:

Lee E. Bowman, Planning Director, for
the Town of Los Gatos

"No significant problems are found in the Water Supply Management Plan. It is recommended that the Town Council go on record as stating that this section is basically acceptable."

James M. Buell, City Administrator,
City of Brentwood

"It is the City's opinion that the ABAG draft Environmental Management Plan proposal unnecessarily embodies water supply, solid waste and land use controls which, as presented, are excessively stringent, ambiguous and enter-twined to the extent that the extraction of non-mandated elements which may not be desired for inclusion in an initial plan adoption, is virtually impossible in the time provided."

Planning Policy Committee of Santa Clara
County

"The Planning Policy Committee supports most of the policies and actions proposed modifications..The PPC supports the Santa Clara County Planning Department's proposed modifications to the Water Supply Management Plan...There is no mention in the Water Supply Plan of the unresolved public health issues related to the use of reclaimed water. The Plan should be amended to include a recommendation supporting continued research aimed at resolving the public health issues related to the use of reclaimed water. The Plan should be amended to include a recommendation supporting continued research aimed at resolving the public health issues which are currently limiting permissible uses of reclaimed water."

ABAG Staff Response:

Public health constraints on reuse will be mentioned.

Individual/Comment:

William A. Gissier, Mayor, City of
Santa Clara County

"Was it really necessary to include a Water Supply Management Plan element in the EMP? Existing arrangements for water supply in the region have been successful and the respective agencies responsible for water supply have planned projects to insure safe and dependable sources of water to the region.

"We have reviewed the Water Supply Management Plan and have concerns about its content, especially the assumptions which have guided the Plan's conclusions. The Water Supply Management Plan must accurately describe the present status of the Bay Area's water supplies and must be practical in its recommendations for the future...

"The cost of the recommended studies proposed in the Water Supply Management Plan, to be conducted under the auspices of the proposed WMCC and/or ABAG, is significant. We estimate it to be on the order of almost \$4 million. It is doubtful that local water agencies would be willing to fund all of these programs voluntarily."

Santa Clara County Medical Society

"As previously recommended in writing by the Medical Society to the Santa Clara County Board of Supervisors, a South Valley study should be done regarding water quality in existing wells, especially with regard to nitrites and coliform bacteria, and a study of the impact of increasing number of wells co-existing with septic tanks in the South Valley."

ABAG Staff Response:

The water supply plan is not mandated by law. Water supply was included because its consideration was the only way to put conservation and reuse in perspective. Conservation and reuse had to be considered because of their effect on sewerage facilities.

The plan is practical in that it recognizes the authority of the water agencies.

Agree.

That would appear to be a county matter, to be handled by county agencies.

Individual/Comment:

ABAG Staff Response:

Bob Kackamack, for the Sierra Club

"You should not look to the fourth barrel of the Hetch Hetchy project ahead of conservation and reclamation costing the same or less. In fact, don't count on the fourth barrel at any dollar price. The cost at my end is too great to allow it to be built. Your statement on page 23 that "All the projects are opposed by some environmental groups..." is exactly correct.

"Your Water Supply Management chapter is well done and the Sierra Club supports your broad goals of conservation and reclamation before new sources are developed..."

"I am personally unfamiliar with the details of the other four new sources listed on page 24, but the Sierra Club has concerns about the environmental impacts of each and also sees other problems in each. For example, the American River Diversion doesn't pass through the Delta. Warm Springs has water rights problems and there is a good possibility that cheaper water can be gotten from groundwater in that area.

"And finally, we urge the WMCC, established by the Plan, look into reducing the 60 million gallons per day shown as unaccounted for in Table 1, page 5. You will want to determine if this 4% of water use is really inaccurate measuring, losses, or uses not known.

We do not necessarily concur with the comment about Warm Springs.

Individual/Comment:

ABAG Staff Response:

Retail Water Agencies of Santa Clara County

"Was it really necessary to include a Water Supply Management Plan element in the EMP? Existing arrangements for water supply in the region have been successful and the respective agencies responsible for water supply have planned projects to insure safe and dependable sources of water to the region.

See responses to comments of Mayor Gissler, Santa Clara City.

"We have reviewed the Water Supply Management Plan and have concerns about its content, especially the assumptions which have guided the Plan's conclusions. The Water Supply Management Plan must accurately describes the present status of the Bay Area's water supplies and must be practical in its recommendations for the future...

"The cost of the recommended studies proposed in the Water Supply Management Plan, to be conducted under the auspices of the proposed WMCC and/or ABAG, is significant. We estimate it to be on the order of almost \$4 million. It is doubtful that local water agencies would be willing to fund all of these programs voluntarily."

Sara Conner, League Women Voters of the Women Voters of the Bay Area

"The water quality and water supply management sections are of tremendous scope, and present a series of recommendations - most of which we support and which should be implemented, if the waters of the region are to be improved and kept in a healthful state...The cost of good total water management must be balanced against the cost of new supply."

Individual/Comment:

Michael S. McGill, Associate Director,
SPUR

"Water Supply Management. Basically, this element provides little more than the consideration of alternative sets of assumptions for planning to meet future water supply needs. SPUR disagrees with the following statement contained in the element: "water saving alone cannot reduce demand by more than about 12% without probably unacceptable changes in lifestyle." The recent experience with the drought in the Bay Area amply demonstrates that far greater levels of water conservation can be achieved with minimal lifestyle disruption. SPUR recommends that any planning for future water needs be premised on an assumption that water conservation during a drought can result in at least a 25% savings in water consumption."

Margaret Zegart (individual)

General Assembly should consider the Governor's Office of Water Recycling and directives to state agencies to make available an additional 400,000 acre-feet of reclaimed water by 1982. Greater emphasis needed on water recharge and landscape irrigation by reclaimed water. Advanced treatment plant planning can in concept meet public health, plant, and wildlife management needs.

ABAG Staff Response:

Considerably hardship was felt by some at the 25% level.

Individual/Comment:

ABAG Staff Response:

Mrs. Mary Carr Scales (individual)

"I feel that in concentrating on ABAG cities, the planners forgot some of the counties have rural areas as well, and their recommendations that no new water storage facilities need to be built is erroneous. Agricultural water was cut 75% which affects every person who eats food, and an 11 billion dollar economic base of the state. We do need additional water storage reservoirs and groundwater basins, both north and south of us... Secondly, I feel citizens should pressure their local governments and water districts to see that they contract for adequate supplies from proposed reservoirs... Present coastal zone legislation which prohibits transfer of water from outside a basin into the zone affects the master planning of many counties and transportation of water on an economically sound basis and perhaps could be revised on a more selective basis, while still protecting specialty crops. I recommend legislation for the San Luis drain be changed so that inland holding drainage ponds will be installed, instead of dumping salts and nitrates into the bay where the Bay Area citizens draw their fresh water... I feel the staff reports indicate a too-heavy reliance on recycled waste water... The present recycled water now having been tried for over ten years in Livermore shows the toxic effects of nitrates which are not removed by city sewage plants seeping into groundwater basins...

"As you no doubt remember, in 1971, Col. Charles Roberts, then District Engineer of the Corps of Engineers, organized the first 12-county study of the feasibility of recycling city sewage through treatment plants and spraying it on highway embankments and some treeless hillsides to encourage grass cover and as a fire-prevention measure. This was discarded as too expensive during a period of adequate water. I wonder how those figures compare now in the light of inflated new construction costs and lack of adequate water?

The plan does not recommend no new water projects.

That method of disposal would be much more expensive than some other methods.

Individual/Comment:

ABAG Staff Response:

Mrs. Mary Carr Scales (individual) -
Continued

"We should endorse and back up the STATE in its suit that the Federal government should provide guarantees that the Bureau of Reclamation not send water south in quantities which exceed state standards for clean water for our Bay Area inhabitants and industries.

"Discussion of various water quality supply and management strategies, economics versus emotion: "Saved water is cheapest", changes in city and building codes for water conservation, tax incentives for retrofit modifications, tax incentives for better agricultural watering, additional reservoirs versus loss of agricultural food crops statewide."

Individual/Comment:

ABAG Staff Response

Santa Clara County Board of Supervisors

"The Board of Supervisors supports most of the policies and actions proposed in the draft Water Supply Management Plan, with some proposed modifications."

That will be recommended for WMCC.

"Although Policy I refers to the provision of a safe water supply, there are no actions in the draft Plan related to studying the quality of water used for domestic consumption in the region. The Board suggests that a recommendation be added to the Plan calling for such a study. The study should examine the impacts which further withdrawals of fresh water from the Delta may have on drinking water quality in the Bay Area. And it should examine the impacts which percolation of imported water may have on the quality of underground water supplies in the region..."

"There is no mention in the Water Supply Plan of the unresolved public health issues related to the use of reclaimed water. The Plan should be amended to include a recommendation supporting continued research aimed at resolving the public health issues related to the use of reclaimed water."

Agree.

San Mateo County Board of Supervisors
and San Mateo County City Managers
Association

"Numerous studies and plans are recommended to be undertaken by (the WMCC) as a basis for coordinated water supply planning. Local staffs are concerned that San Mateo County agencies might not be included in this association of "major" water and wastewater agencies. Modifications to the plan are recommended to assure equal representation for each County. County staff remains concerned that the authority of the committee over local water planning efforts should be clarified."

This comment will be considered in the formation of WMCC.

Individual/Comment

Thomas J. Graff, Environmental Defense Fund
"Two assumptions on which the Plan's recommendations are based seem totally unrealistic, and require modification. First, estimates in the Plan for population growth in the next 22 years range from 11% to 22%. By ABAG's own estimates, even growth at the lower level would exceed the land available for residential expansion. Secondly, the projection that per capita water consumption could rise by 18% over this period can only be understood by viewing water as a limitless resource, by learning nothing from the recent droughts, and by charging water agencies with fulfilling that unfortunate aspect of American life style - overconsumption."

"The readiness of Bay Area residents to accept and actively participate in changing their patterns of consumption was dramatically demonstrated by the cutbacks in water use during the 1977 drought. The consequences of an ongoing program of moderate water conservation are substantial--even when taking population and industrial growth into account..."

"New water supply projects are politically and legally vulnerable. Most of the proposed projects in the Plan are the subject of ongoing litigation. New water projects should begin with a consideration of in-stream flows necessary to preserve the ecological integrity of a water source. Based on all of the above arguments, new water supply projects are unnecessary and unwise at this time."

"The major proposals of the Plan should be assigned priorities. First, moderate conservation measures deserve immediate implementation, followed closely by developing a system for interagency water transfers and wastewater reuse. Only after implementing these measures should the need for additional water supply projects be considered."

ABAG Staff Response

The growth would exceed land available for development according to current policies of local agencies. These policies could be changed. The plan calls for conservation.

We basically agree, although the cutbacks were not all voluntary.

We do not necessarily concur. All uses of water must be considered in evaluating water projects.

We do not necessarily agree. Consideration of water projects should not be contingent on implementation of conservation and reuse. The converse is also true.

Individual/Comment

Robert W. Quinlan, City Manager,
for the City of Cupertino

"The City Council supports all of the policies and actions and recommends the following modification (to Policy 3)."

James R. Osborn, Landal Institute

"Urban sewage, after primary treatment only, can be used to grow feed for livestock...The cost and energy effectiveness of such reclamation and use of agriculture to shortcut sewage treatment will depend on keeping agricultural land near sewage plants...A further consideration for sewage planning is that the inclusion of commercial aquaculture in sewage treatment systems has become both technically and economically feasible, and would bring about considerable energy savings. The EMP should encourage exploration of this alternative..."

ABAG Staff Response

Generally speaking, not enough agricultural land is near sewage treatment plants. Also, agricultural demand is seasonal; storage of sewage would be required unless some other means of disposal were available. We do not agree that commercial aquaculture in sewage treatment systems is feasible, but it deserves consideration in the future.

WATER SUPPLY MANAGEMENT PLAN - SPECIFIC COMMENTS ON POLICIES AND ACTIONS

Individual/Comment:

F. E. Wilts, San Leandro Manufacturers' Association

Action 1.4 "Temporary and permanent jobs created estimates are understated since no allocation is made for the impact of new water supply construction projects."

Action 2.3 "Public information/education funds are inadequate at \$5,000 per year for a \$57 million per year program."

Jon Q. Reynolds, East Bay Municipal Utility District

Action 1.1 The WMCC should initially be an informal committee of major water agencies that can negotiate a memorandum of understanding if they so desire. Other agencies could be added later. ABAG's role after the initial meeting is unclear. Cost estimates are premature. Establishing the Committee has no environmental, economic or social impact.

Action 1.1 "Under the General Description, revise to read, 'Initially, the WMCC will include management representatives of all major water agencies in the Bay Region. The goal will be to meet as an informal committee to discuss and define the region's need for cooperative water supply management, and to determine whether a permanent organizational structure and what membership would be appropriate for an ongoing regional planning effort. No joint powers agreement would be needed'."

Action 1.1 "Under Implementing Agency, revise to read 'Major water and waste-water agencies'."

Action 1.1 "Under Schedule for Action, revise to read 'July 1978'."

Action 1.1 "Under Financing Mechanism, revise to read 'To be determined by the WMCC: may be dues paid by committee members or contribution of individual agencies' staff time'."

ABAG Staff Response:

No allocation was made because the projects are not necessarily recommended. Which projects would be built is recommended for the consideration of the Water Management Coordination Council.

That cost will be reconsidered as part of WMCC's initial work.

Agree. ABAG's role would be simply to initiate the process of forming the WMCC. If WMCC wanted additional services from ABAG, ABAG could provide them.

Agree.

Agree.

Agree.

Agree.

Individual/Comment:

Jon Q. Reynolds, East Bay Municipal
Utility District - continued

Action 1.1 "Under Institutional/Financial Impacts, add 'ABAG's role in the WMCC will be determined by the member water agencies.'
Revise annual cost to read, 'Annual cost will depend on WMCC's organization and program; may be in the range of \$10,00/year'.
Revise the joint powers agreement statement to read, 'WMCC's organization and program may require a memorandum of understanding or possibly development of a complex joint powers agreement; to be determined by the WMCC'."

Action 1.1 "Under Environmental Impacts, Economic Impacts, and Social Impacts, revise each to read 'None'."

Action 1.2 The WMCC must determine the need for this action as appropriate for regional study or by individual water agencies. The study has no environmental, economic, or social impact.

Action 1.2 "Under General Description, add 'Recommended for consideration by the WMCC'."

Action 1.2 "Under Implementing Agency, revise to read, 'To be determined by the WMCC'."

Action 1.2 "Under Financing Mechanism, revise to read, 'To be determined by the WMCC'."

Action 1.2 "Under Environmental Impacts, Economic Impacts, and Social Impacts, revise each to read 'None'."

Action 1.3 The WMCC must determine the need for this action as appropriate for regional study or by individual water agencies. The study has no environmental, economic, or social impact.

Action 1.3 "Under General Description, add 'Recommended for consideration by the WMCC'."

Action 1.3 "Under Implementing Agency, revise to read, 'To be determined by the WMCC'."

ABAG Staff Response:

Agree, except for word "complex" in last line. That would appear to be a premature judgment.

Agree.

Agree with second sentence. It would seem appropriate that WMCC agree to make some assessment of inter-agency transfers.

Agree.

Disagree; it should be WMCC's responsibility. They could delegate that responsibility, though.

Agree.

Agree.

Agree

Agree.

Disagree; same response as for Action 1.2 above.

Individual/Comment:

Jon Q. Reynolds, East Bay Municipal
Utility District - continued

Action 1.3 "Under Financing Mechanism,
revise to read, 'To be determined by the
WMCC'."

Action 1.3 "Under Environmental Impacts,
Economic Impacts, and Social Impacts,
revise to read 'None'."

Action 1.4 "The need for water supply
projects will be determined by individual
water agencies, although it will likely be
a subject of WMCC discussion. The question
of inter-agency transfer of water has not
been fully considered and, therefore, it is
inappropriate to include interties as part
of needed water supply projects. The con-
struction of water supply projects will be
necessary not only to meet the demands of
growth, but to provide security of water
supply to existing communities. The en-
vironmental impacts, benefits and tradeoffs
of each specific water supply project and
its alternatives cannot be assessed until
the requisite environmental documentation
is prepared and processed by the responsible
water agency. The economic impact cannot
be determined until the project is spe-
cifically defined and the costs of the
project and feasible alternatives are
assessed and compared."

Action 1.4 "Delete 'including interties'
from the recommended action."

Action 1.4 "Under General Description,
add 'Individual water agencies will de-
termine the need for specific water
supply projects'."

Action 14. "Under Environmental Impacts,
revise to read, 'Environmental Impacts
cannot be assessed until the requisite
environmental documentation is prepared
and processed by the responsible water
agency'."

Action 1.4 "Under Economic Impacts, revise
to read, 'Economic impacts cannot be assessed
until projects are specifically defined by
the responsible water agencies and the costs
of each project and its feasible alternatives
are compared'."

ABAG Staff Response:

Agree.

Agree.

Change action to read, "Con-
struct needed water supply
projects, possibly including
interties." Include comment
made by EBMUC on this action
under General Description,
except delete the part of the
second sentence after "...
fully considered."

See above response.

See above response.

Agree to inclusion of state-
ment, but not to deletion of
all information about the
projects.

See above response.

Individual/Comment:

Jon Q. Reynolds, East Bay Municipal
Utility District - continued

Action 2.3 "The WMCC must first review whether a 'regionally coordinated' program should be pursued, or if public information and education should continue to be handled by individual water agencies. If a regional program is established, ABAG's role will be determined by the WMCC'."

Action 2.3 "Under General Description, add 'Recommended for consideration by WMCC'."

Action 2.3 "Under Implementing Agency, revise to read 'To be determined by WMCC'."

Action 2.3 "Under Financing Mechanism, revise to read 'To be determined by WMCC'."

Action 2.5 "The purpose of producing this annual report is unclear. Its publication by the WMCC would be an unnecessary burden and expense. Delete Action 2.5."

Action 2.6 "Water rate structures are the responsibility of individual water agencies. While it might be suggested that those agencies should consider revision of water rate structures to encourage consideration, there is no authority to direct them to do so. Delete Action 2.6."

Action 2.7 "The purpose of this study on a regional basis is unclear. Each wastewater agency estimates its own costs. This information could be gathered from them even now, assuming a particular amount of conservation during different times of the year. Delete Action 2.7."

Action 3.1 "The regional water reclamation study is already proceeding with EBMUD as the lead agency. It has a governing board representing the affected agencies. There is no need to include this as an action item. The WMCC would not be the implementing agency. Delete Action 3.1."

ABAG Staff Response:

Agree.

Agree.

Agree.

Agree.

Disagree; compilation of this information for the region would be of interest to many people, including water agencies.

Add under General Description: "Water rate structures are the responsibility of individual water agencies."

Agree to delete.

Include first two sentences of comment under General Description of action. Change Implementing Agency to "Policy Board" of reclamation study.

Individual/Comment:

San Mateo County Council of Mayors

Action 1.1 "Change Recommendation to read - 'The WMCC will include equal representation for each County and those water and wastewater agencies within the County. Each County and those water and wastewater agencies within the County shall determine its method of representation on the WMCC'."

Action 1.2 Accept.

Action 1.3 Accept.

Action 1.4 "Change recommendation to read 'Construct needed water supply projects including interties in accordance with Regional and Local water supply plans'."

Action 1.5 "Add to General Description column that - 'A drought contingency plan should be prepared using input from all counties, cities and water agencies'."

Action 1.6 Accept.

Action 1.7 Accept.

Action 2.1 "Change recommendation to read - 'Implement residential water savings programs and where feasible water savings programs in business, recreation and industrial operations'."

Action 2.2 "Under Implementing Agency Column, add the International Conference of Building Officials."

Action 2.3 Accept.

Action 2.4 "Under recommendations, the word 'domestic' should be clarified."

Action 2.5 Accept.

Action 2.6 "Add under General Description - 'Water rate structures should be revised to encourage conservation regardless of water supply conditions'."

Action 2.7 "Change recommendation to read - 'Conduct study to determine impact of water conservation measures on sewage treatment costs'."

Action 2.8 Accept.

ABAG Staff Response:

Disagree because the counties are not the basic units of water supply. The participation of major water agencies is critical to WMCC, and they would not approve of this recommended change.

See response to EBMUD comment.

Agree.

Agree.

Agree.

Change "domestic" to "municipal."

Agree.

Individual/Comment:

San Mateo County Council of Mayors-continued
Action 3.1 "Since this information is already available, the recommendation should be changed to read - 'Collect, consolidate and report on existing studies'."

Action 3.2 "Add to General Description - 'Utilize existing guidelines and agencies to determine allocation of grant monies for reclamation projects'."

Action 3.3 Accept.

Planning Policy Committee of Santa Clara County

Policy 1 "Although Policy 1 refers to the provision of a safe water supply, there are no actions in the draft Plan related to studying the quality of water used for domestic consumption in the region. The PPC suggests that a recommendation be added to the Plan calling for such a study. The study should examine the quality of existing water supplies, including wells. It should also examine the impacts which further withdrawals of fresh water from the Delta may have on drinking water quality in the Bay Area. And it should examine the impacts which percolation of imported water may have on the quality of underground water supplies in the region."

Action 1.2 It seems to imply "that interties among the various water systems in the region are necessary and desirable. While this may eventually be demonstrated to be the case, the PPC believes that the Plan should not make that assumption at this time. Action 1.2 should be amended to include consideration of the costs of increased inter-agency water transfers."

Action 1.4 "Action 1.4 should be amended to indicate that interties would be constructed only if determined to be both necessary and cost-effective relative to other means of supplementing local water supplies."

ABAG Staff Response:

The study is already being organized under a grant from the state and EPA. That will be made clear.

New guidelines may be required to reach the governor's goal of tripling the amount of water reclaimed.

This will be added for study by WMCC.

Agree; will change recommendation to read 'Evaluate the advantages and disadvantages of increased inter-agency water transfers.'

See EBMUD comment and response.

Individual/Comment:

ABAG Staff Response:

Planning Policy Committee of Santa Clara County - continued

Action 2.7 "The purpose of Action 2.7, which proposes a study to determine the savings in sewage treatment costs attributable to water conservation, is unclear and should be clarified. The impact statements regarding this action suggest that the purpose of the study may be to determine the impacts of water conservation on the unused capacities of sewage treatment plants, rather than reductions in operating costs."

Action 1.1 Support.

Action 1.2 Support. "Should be amended to read 'Evaluate the costs, benefits, infeasibility...'. "

See response to comment on Action 1.2 above.

Action 1.3 Support. "This study seems unnecessary."

Action 1.4 Support. "Policy assumes that interties will be built."

Action 1.5 Support.

Action 1.6 Support.

Action 1.7 Support.

Policy 2 Support, with modifications. "These actions listed to encourage water savings relate primarily to indoor water conservation. Another action statement should be added regarding encouragement of the use of native plants for landscaping and the installation of drip irrigation systems."

Agree.

Action 2.1 Support.

Action 2.2 Support.

Action 2.3 Support.

Action 2.4 Support.

Action 2.5 Support.

Action 2.6 Support.

Individual/Comment:

ABAG Staff Response:

Planning Policy Committee of Santa Clara
County - continued

Action 2.7 Support. "The purpose of this action is unclear and should be clarified. Review of the impacts listed for this action suggest that one purpose of the study would be to determine how much water conservation efforts have increased the unused capacity of existing treatment plants. The action should be re-worded to make this point clear."

Action 2.8 Support.

Policy 3. Support, with modification. "There is no mention of the Plan of the currently unresolved public health issues related to the use of reclaimed water. The Plan should at least recommend continued research aimed at determining the validity of the public health concerns which are currently restricting potential uses of reclaimed water."

Agree, but not as a task to be undertaken necessarily by the region. The problem is of state or national concern.

Action 3.1 Support.

Action 3.2 Support.

Action 3.3 Support.

Individual/Comment:

Sara Conner, President,

League of Women Voters of the Bay Area

Action 1.1 "...We also strongly support the water resources management committee for exchange of information and for coordination of water supply planning. The cost of good total water management must be balanced against the cost of new supply."

Action 1.3 "Schedule for action: Is July, 1978, realistic? 1979 is more likely."

Action 1.4 "Interchange this action with Action 1.7. Renumber actions accordingly. Preparation of a regional groundwater basin management plan and drought contingency plan should precede construction of water supply projects."

Action 2.5 "See comments on Water Quality Management, Policy 1.6. Do not publish a yearly report volume."

Action 2.7 "Eliminate. This study seems unnecessary."

Action 2.8 "Under 'General Description' change 'require' to 'encourage.' Under 'environmental impacts' clarify the Water Quality and Quantity paragraph'."

Policy 3 "Change Policy 3 to read: 'Encourage reuse of reclaimed water where safe and cost-effective'."

Action 3.2 "Change to read: 'Develop a system for allocation of grant monies, giving priority to sewage treatment systems which include reclamation'."

Richard B. Kerwin, City Manager,

City of Brisbane

Action 1.1 "Is the proposed WMCC a new bureaucracy overlaying an existing one or replacing one?"

ABAG Staff Response:

Agree, should be later.

Agree.

??

Will be deleted.

If legislature acts, "require" would be appropriate; otherwise "encourage."

Agree to inclusion of public health.

Agree.

Neither; it would be a voluntary association.

Individual/Comment:

Contra Costa County Board of Supervisors,
per the Contra Costa County Planning
Department

Policy 1 "This Policy simply restates the principle that has guided most of the region's water supply agencies in the past, except that it can be interpreted as making the 'citizen' a special case among industrial, agricultural, commercial, institutional, and residential customers...Revise the Policy statement to read: ...Supply to all Customers."

Action 1.1 "This new organization would include all major water and wastewater agencies in the Bay Area to discuss and possibly resolve issues of mutual interest. (Section F, p. II-33.) The Draft EMP does not state to whom the proposed Water Resource Management Coordinating Committee would be responsible. The estimated cost of \$9,400 per year appears to be low. We support East Bay Municipal Utility District for additional minor changes...State under General Description that the Water Resource Management Coordinating Committee would be an informal committee and would report to and be responsible to the governing body of each water or wastewater agency. Delete the proposed Joint Powers Agreement under 'Legal Authority'." Under Environmental, Economic and Social Impacts, change to read "none."

Action 1.2 "Although this may be discussed by the Water Resource Management Coordinating Committee, it is really a matter to be decided among two or more water suppliers and state regulatory agencies. The EMP should not imply that this is a regionwide issue. Delete Action 1.2 and include inter-agency water transfers as an item appropriate for consideration by the Water Resource Management Coordinating Committee under Action 1.1."

Action 1.3 "This is a matter which can only be handled by the individual water supplier for its district and is not suitable for the Water Resource Management Coordinating Committee. It is being done now, or will be done as soon as the drought is determined to be over, by water suppliers. Once done, the information will doubtlessly be shared among water suppliers, and will be made public. Delete Action 1.3."

ABAG Staff Response:

Agree.

WMCC would be responsible to the water agencies. Agree with other comments.

Intent of comment accommodated by responses to other comments.

Emergency or drought interties are an appropriate subject for WMCC.

Individual/Comment:

Contra Costa County Board of Supervisors,
per the Contra Costa County Planning
Department - continued

Action 1.4 "This item appears to have predetermined the outcome of the Water Resource Management Coordinating Committee discussion on interties. Any such action must be approved by the governing body of each affected agency, and there are also state laws involved. According to Section F, p. IV-34, paragraph I, the discussion of Policy I, EMTF would approve proposed water supply projects, to 'improve its chances for implementation.' The EMTF is not a properly constituted body to approve water supply projects or determine whether or not a project may be funded. There is very little substance in the Water Supply Plan which provides a basis for water supply project approval. Through its A-95 grant review process ABAG will have ample opportunities to express its interests. Water supply projects are not '208' subject matter. We support EBMUD's comments for additional minor changes... Delete Including inter-ties. Delete references to EMTF approval of water supply projects from the Water Supply Plan, p. IV-34 and elsewhere."

Action 1.5 "Again, this Action attempts to set the agenda of the Water Resource Management Coordinating Committee. It would be duplicative work since water agencies have manifestly dealt with this drought, and are doubtlessly preparing for the next one. It is not an appropriate task for the Water Resource Management Coordinating Committee, which is a regional discussion group, not a planning body. Delete Action 1.5."

ABAG Staff Response:

The point being made about EMTF review is that endorsement by EMTF could be of real benefit to water projects that are faced with countless environmental hurdles. The composition of EMTF would appear ideal for a balanced consideration. No mention of funding was made. EMTF, not ABAG, review is the issue. Other comments addressed in response to EBMUD comments.

This comment seems to be setting the agenda of WMCC. They can plan if they want.

Individual/Comment:

Contra Costa County Board of Supervisors,
per the Contra Costa County Planning
Department - continued

Action 1.6 "There are hundreds of ground-water basins in the Bay Area. Most are not urbanized or in water or wastewater districts. This is not a suitable project for the Water Resource Management Coordinating Committee, which is a group to discuss issues in water supply. Groundwater issues are not common to all water supply agencies ...Add to Action 1.1 as a potential discussion item for the Committee to consider encouraging water supply agencies which use substantial amounts of groundwater to prepare groundwater studies. Include water supply agencies in the listing of 'Implementing Agencies.' If 'all groundwaters in region really means those delineated in Figure 5, p. III-124, so state'."

Action 1.7 "According to Section F, p. IV-33, paragraph 2, discussion of Policy I, the purpose of Action 1.6 and Action 1.7 is to 'prevent future groundwater pollution problems such as salt water intrusion and high-nitrate levels resulting from septic tank discharges.'" In order to add to present knowledge, technical field work would be required. The "undetermined" cost probably would be high. Section 208 of the Federal Water Pollution Control Act does not require a groundwater management plan and no proper foundation has been made in the EMP program to prepare such a plan. If prepared, it would be technical, and is not the proper subject matter of the proposed Water Resource Management Coordinating Committee. It is not a proper part of a 208 plan unless a specific basin is identified as having "a substantial water quality control problem of such complexity and magnitude that the solution of the problem requires the development of a special areawide waste treatment plan, and water quality must have been degraded to the extent that beneficial uses of water have been seriously impaired or precluded (Section 2753(A) State Water Control Board Regulations.). This is a water quality concern, not a water supply concern... Delete Action 1.7. Delete references to the Safe Drinking Water Act of 1974 in the EMP. Delete p. IV-9 to IV-14 if adequate water agency review cannot be obtained and refer to the proposed Water Management Coordinating Committee."

ABAG Staff Response:

The first two sentences are not true; in fact, the opposite is true.

The overall point of this comment is unclear. The "undetermined" cost might be high; if so, the benefits would have to be carefully compared to the costs. There is no reason to constrain the WMCC to non-technical matters. Section 208 is a "...shall include but not be limited to..." section; nothing is prohibited from consideration. It is common knowledge in California that water quality cannot be separated from water supply; that is why a single agency (State Water Resources Control Board) regulates both. The reason for deleting references to the Safe Drinking Water Act is not clear.

Individual/Comment:

Contra Costa County Board of Supervisors,
per the Contra Costa County Planning
Department - continued

Policy 2 "The foundation for this Action is that the least costly 'new' supply of water is that achieved by conservation of present water resources. This may be considered an accurate assumption pending the advice of water supply agencies. Accept."

Action 2.1 Actions 2.1 and 2.2 "would require implementation of ABAG's "Moderate" list of water saving devices and practices in new residential construction and refitting existing residences (2.1), and incorporating a requirement for water savings devices into building codes (2.2). The "Moderate" list, p. IV-16 of the text, "Programs for New Construction," includes 1) low-flush toilets, 2) shower and faucet flow controllers, 3) hot water line insulation, 4) pressure regulators, 5) drought-tolerant landscaping 6) timer-controlled automatic sprinkler systems, and 7) drip irrigation. The Contra Costa County Building Inspection Department reports that it is premature to require some of these devices. There are problems and adverse effects with their use that experience is beginning to bring out. Conservation can be encouraged and achieved over time without requiring devices to be used before they have enough history for adequate evaluation. The State now requires a more moderate water conservation program which is being implemented. These Actions are not the proper subject matter of a "208" plan... Delete Actions 2.1 and 2.2, or re-phrase with a single Action to "Encourage industry, State and local government, and water supply agency efforts in the field of water conservation."

Action 2.2 (See comment under 2.1).

ABAG Staff Response:

The actions do not "require," they "encourage," for just some of the reasons stated in the comment.

Individual/Comment:

ABAG Staff Response:

Contra Costa County Board of Supervisors,
per the Contra Costa County Planning
Department - continued

Action 2.3 "This may be an issue of mutual concern suitable for discussion by the proposed Water Resource Management Coordinating Committee. However, it is not appropriate at this time to determine the outcome of that discussion. Because circumstances differ, a regionwide public education program may not be the answer. Water agencies are already performing public education programs. A 'Regional' look at water supply should not obscure the fact that conditions, needs and supplies vary from place to place...Rephrase as 'Consider Regional Public' information/education program. Delete ABAG from 'Implementing Agencies.' In 'General Description; state, 'for consideration by Water Resource Management Coordinating Committee'."

Agree.

Action 2.4 "Industry institutions as a business are left out. Also, this is not 208 subject matter. No recommendation on the Action. The proposed legislation would have to be evaluated on its own merits."

Action 2.5 "The annual publication of a regional report seems to be unnecessary work. It is not stated to whom the report would be submitted. The Water Resource Management Coordinating Committee should be responsible to the several governing bodies of water and wastewater agencies and should be able to report findings to them at a cost of much less than \$18,000 annually. Delete Action 2.5."

See previous responses to comments.

Action 2.6 "This recommendation is too broad and has not been analyzed sufficiently to be supported. There is no authority to direct water agencies to consider water rate structures for conservation purposes. Delete Action 2.6."

They are not being directed.

Action 2.7 "This appears to be makework. Each sewage treatment district estimates its costs. There is no foundation for the need to "study" this on a regional basis. Delete Action 2.7."

Will be deleted.

Individual/Comment:

Contra Costa County Board of Supervisors,
per the Contra Costa County Planning
Department - continued

Policy 3 "This is similar to Policy 7 of the Water Quality Plan. One should be deleted. Include this Policy one time in the EMP if the Water Supply Plan remains in the EMP. Amend one Policy cited above; delete the other. Amendment: Encourage reclamation and reuse of wastewater where cost effective, and where compatible with health and other environmental needs."

Action 3.1 "There is no General Description provided for Action 3.1, but the following purpose is given on p. IV-35, first paragraph, under Actions. 'To determine whether large-scale reclamation of Bay Area wastewaters for use by agriculture in the Central Valley is feasible and if any subregional reclamation opportunities exist other than those already being pursued by local agencies. A study of this type has been planned for some time and appears likely to commence shortly through a 'joint powers agency...funded in part... through the Clean Water Grants Program' (underline added). Page IV-3 states that 'Two million dollars have been allocated by the State Water Resources Control Board for a regional study of wastewater reclamation and reuse.' This study is already proceeding with the East Bay Municipal Utility District as the lead agency. It is not a proper study for the WMCC, a discussion group, nor should an annual cost of \$161,000 be added to the State program. Delete Action 3.1."

Action 3.2 "The development of reclamation facilities is a complex policy and financial matter. Priority system development implies that there is adequate funding to finance these facilities and that agencies are competing for available funds. This appears not to be the case. Delete Action 3.2."

Action 3.3 "Accept."

ABAG Staff Response:

No reason to delete. Agree with amendment.

Agree that WMCC should not be implementing agency. As of this date (February, 1978) study is not under way.

This does appear to be the case.

Individual/Comment:

Charles Kinney, Associated Building Industry
of Northern California

Policy 1 "Modify. Clarify ways existing agencies have done this."

Action 1.1 "Delete. Not useful work considering current cooperation."

Action 1.2 "Delete. Not a regionwide issue."

Action 1.3 "Delete. Not regionwide function, done by water suppliers."

Action 1.4 "Modify. Would have some systems subsidizing others."

Action 1.5 "Delete. Already done by suppliers."

Action 1.6 "Delete. Not regionwide issue."

Action 1.7 "Delete. No foundation; no technical personnel at ABAG."

Policy 2 Modify to "continue to encourage water saving."

Action 2.1 Modify to "continue to implement residential water savings programs."

Action 2.2 "Delete. Already done voluntarily by construction industry in response to consumer demand. Some sewer system laterals need high flows of water."

Action 2.3 Modify to "continue public information/education program." "Why must it be coordinated regionally?"

Action 2.4 Modify to add "...for appropriate sewer systems." Some need a high water flow."

ABAG Staff Response:

None of the policies include such clarification. The policy is not critical of water agencies.

Disagree.

Not clear what "regionwide" means or why it should be a condition.

WMCC is water suppliers.

Disagree; that would not be workable.

There is more to be done, especially as conditions change.

Not clear what "regionwide" means or why it should be a condition.

The foundation is provided by Action 1.6. The second part of the comment is untrue.

Not necessary.

This would imply more stringent measures than are recommended.

There is no documentation of such action.

Certain parts might beneficially be coordinated regionally; only those parts would be.

Agree.

Individual/Comment:

Charles Kinney, Associated Building Industry
of Northern California - continued

Action 2.5 "Delete. Unnecessary work."

Action 2.6 "Delete. Too broad; impacts
not analyzed."

Action 2.7 "Delete. Unnecessary work; no
foundation."

Action 2.8 Modify to add "...after input
from agriculture and if proven to be
necessary."

Policy 3 Modify to read "Support study
concerning reuse of wastewater where
cost-effective."

Action 3.1 Modify to read "Support existing
reclamation study." "(Department of Public
Health, SWRCB)"

Action 3.2 "Modify. No guidelines for
priorities. (SWRCB)."

Action 3.3 Modify to add "...if pilot
projects successful."

ABAG Staff Response:

Many would be interested
in such a report.

It would not be done without
being analyzed by the water
agencies.

Agree.

Goes without saying.

"Encourage" is already
pretty mild.

Intent would be the same.

They would be developed in
the process. Some already
exist.

Pilot projects are not always
necessary.

Individual/Comment:

Santa Clara County Board of Supervisors

Policy 1. "Support, with modification. Although Policy 1 refers to provision of a safe water supply, there are no actions in the Plan related to studying the quality of water used for domestic consumption in the region. A recommendation that such a study be undertaken should be added to the Plan. The study should examine the quality of existing supplies, including wells. It should also examine the impacts which further withdrawals of fresh-water from the Delta may have on drinking water quality. And it should examine the impacts percolation of imported water may have on the quality of underground supplies."

Action 1.1 "Support."

Action 1.2 "Support, with modification. Should be amended to read "Evaluate the costs, benefits, and feasibility..."

Action 1.3 "Support, if clarified. This study seems unnecessary. Further justification should be provided."

Action 1.4 "Support. Policy assumes that interties will be built."

Action 1.5 "Support."

Action 1.6 "Support."

Action 1.7 "Support."

Policy 2. "Support, with modification. These actions listed to encourage water savings relate primarily to indoor water conservation. Another action statement should be added regarding encouragement of the use of native plants for landscaping and the installation of drip irrigation systems."

ABAG Staff Response:

Agree; all important points particularly in the light of new EPA regulations pursuant to the Safe Drinking Water Act. An early task in the continuing planning process could be a determination by WMCC of the most appropriate way to conduct the necessary studies.

Agree.

Using less water during droughts (i.e. rationing) may be more desirable than constructing new projects to supply unrestricted water during droughts. Some analysts believe that a drought as severe as the 1976-77 drought will occur only once in one thousand years. It may be an unwise use of resources to provide for such a rare occurrence.

Interties might be built if shown to be desirable. See Action 1.2.

Agree.

Individual/Comment:

ABAG Staff Response:

Santa Clara County Board of Supervisors -
Continued

Action 2.1 "Support."

Agree.

Action 2.2 "Support."

Action 2.3 "Support."

Action 2.4 "Support."

Action 2.5 "Support."

Action 2.6 "Support."

Action 2.7 "Support. The purpose of this action is unclear and should be clarified. Review of the impacts listed for this action suggest that one purpose of the study would be to determine how much water conservation efforts have increased the unused capacity of existing treatment plants. The action should be re-worded to make this point clear."

Will be deleted. Recent study has indicated it is unnecessary.

Action 2.8 "Support."

Policy 3. "Support, with modification. There is no mention in the Plan of the currently unresolved public health issues related to the use of reclaimed water. The Plan should at least recommend continued research aimed at determining the validity of the public health concerns which are currently restricting potential uses of reclaimed water. The following should be added as Action 3.4: "Monitor impacts of wastewater reclamation projects to ensure that long-term damage does not occur to the lands onto which reclaimed water is applied."

Agree research is needed but feel it should be conducted at State and Federal levels. A multi-million dollar five-year study of the health effects of wastewater reclamation is about to begin in Monterey County funded by State and Federal grants.

Action 3.1 "Support."

Action 3.2 "Support."

Action 3.3 "Support."

Individual/Comment:

San Mateo County Board of Supervisors
and San Mateo County City Managers'
Association

Action 1.1 "Modify. Change recommendation to read - "The WMCC will include equal representation for each county and those water and wastewater agencies within the county. Each county and those water and wastewater agencies within the county shall determine its method of representation on the WMCC."

Action 1.2 "Accept "

Action 1.3 "Accept."

Action 1.4 "Modify. Change recommendation to read - "Construct needed water supply projects including interties in accordance with regional and local water supply plans."

Action 1.5 "Modify. Add to General Description Column that - "A drought contingency plan should be prepared using input from all counties, cities and water agencies."

Action 1.6 "Accept."

Action 1.7 "Accept."

Action 2.1 "Modify. Change recommendation to read - "Implement residential water saving programs and where feasible water saving programs in business, recreation and industrial operations."

Action 2.2 "Modify. Under Implementing Agency Column, add the International Conference of Building Officials."

Action 2.3 "Accept."

Action 2.4 "Modify. Under recommendations, the word "Domestic" should be clarified."

ABAG Staff Response:

The water agency participants in WMCC will determine the desirability of new projects and interties.

Agree.

Agree.

Will be modified to be consistent with Action 2.1.

Individual/Comment:

ABAG Staff Response:

San Mateo County Board of Supervisors
and San Mateo County City Managers'
Association - Continued

Action 2.5 "Accept."

Action 2.6 "Modify. Add under General Description - "Water rate structures should be revised to encourage conservation regardless of water supply conditions."

Action 2.7 "Modify. Change recommendation to read - "Conduct study to determine impact of water conservation measures on sewage treatment costs."

Action 2.8 "Accept."

Action 3.1 "Modify. Since this information is already available, the recommendation should be changed to read - "Collect, consolidate and report on existing studies."

Action 3.2 "Modify. Add to General Description - "Utilize existing guidelines and agencies to determine allocation of grant monies for reclamation projects."

Action 3.3 "Accept."

Thomas J. Graff, Environmental Defense
Fund

Action 1.1 "Addition: "The WMCC will be coordinated by an intergovernmental group, such as ABAG." Comment: The diverse interests of the water agencies require central guidance."

Action 1.2 "Addition: "Evaluate the benefits and feasibility of interagency water transfers, and develop a plan as needed."

Action 1.4 "Revise: "Evaluate need for new water supply projects by 1985, giving priority to water conservation and water reclamation."

Agree with sentiment.

Will be deleted. Recent study has indicated it is unnecessary.

Information on local projects is available. The State has determined that a regional analysis is necessary. A JPA is being signed by affected agencies; a study is about to begin.

If available funds are limited they should be allocated to the projects that obtain the most benefits i.e. reduce demand for high quality water.

It would seem desirable that ABAG coordinate WMCC activities with other elements of EMP. The water agencies alone have the authority to make decisions on water supply matters.

WMCC would decide if this was necessary.

Agree in principle. WMCC would decide.

Individual/Comment:

ABAG Staff Responses:

Thomas J. Graff, Environmental Defense Fund - Continued

Action 2.1 "Revise: "Residential water saving programs are recommended. These emphasize distributing retrofit water saving devices in existing homes, and mandating building in of water saving devices in new construction.

Action 2.9 "Addition: "Establish ongoing program to promote use of landscaping appropriate to Bay Area climate."

Policy 3. "Revise: "Encourage safe and cost effective reuse of wastewater by matching wherever possible available water quality with water quality needs of consumer."

Robert W. Quinlan, City Manager, for the City of Cupertino

Policy 3. "Further research is needed as to the validity of public health issues currently restricting the potential use of reclaimed water."

James R. Obsorn, Landal Institute

Policy 3. "Add the following paragraph: "It is recommended that in addition to the studies of reclamation for Central Valley use and of underexploited local reclamation opportunities, a study should be made of the potential for intensification of agriculture within the Bay Area to make local use of wastewater. Detailed energy analyses should be included in all three reclamation studies--export to the Central Valley, full use of existing local outlets, and potential intensification of local demand. The energy analyses should include the consequences of reclamation decisions on land use patterns, and the consequences of those land use patterns in energy use. Cost/benefit comparisons of the three reclamation alternatives should be made available for public review before decisions are made."

Agree.

Agree in principle. Will consider rewording.

See response to Santa Clara County Board of Supervisors.

Will forward comment to policy body of regional reclamation study.

Individual/Comment:

William A. Gissler, Mayor, City of Santa Clara

Action 1.1 "The Water Supply Management Plan, in its recommendations for a Water Management Coordinating Committee, takes the position that a regional system is better. We question that position since there is no sound argument for it. The effective planning and construction of water supply projects that have been accomplished by responsible water agencies under local control over the years are minimized in the Plan. Furthermore, the plan oversimplified the possibility of free exchange of water among agencies because the legal and political constraints are not recognized. Creation of the recommended Water Management Coordinating Committee (WMCC) can be accomplished on a voluntary basis, provided the respective agencies determine it to be beneficial and are willing to jointly finance the administration programs suggested by the WMCC in the EMP."

Policy 1. "Support. This policy simply restates the principle that guides most of the water supply agencies."

Action 1.1 "Support if water supply agencies are allowed to decide voluntarily on implementing such a committee and are willing to absorb financial commitments for administration and preparation of studies. The idea of a coordinating committee is not itself undesirable and might serve some purpose. The plan attempts to build a case for creation of a regionwide coordinating agency that would eventually be responsible for all aspects of water supply from planning to distribution of water. There is no evidence that such an agency is necessary or that it would be better able to plan for the future than water agencies are presently doing. The Committee would be faced with the same legal, jurisdictional, and political constraints, and it is unlikely that the governing boards of the represented agencies would freely delegate full authority to their representatives."

ABAG Staff Response:

Certain matters might be more appropriately addressed regionally. WMCC will decide. We do not question the performance of the region's water agencies. It has been exemplary. We do question whether you could call EBMUD, the Santa Clara Valley Water Agency, and the San Francisco Water Department "local." The plan does oversimplify the legal and political constraints of water transfers. That will be corrected. Agree with voluntary nature of WMCC.

Agree.

The plan does not attempt to build a case for an agency with the eventual power of distributing water. We agree with comments as to the problems of creating such an agency.

Individual/Comment:

William A. Gissler, Mayor, City of Santa Clara - Continued

Action 1.2 "Support. This is a simplistic view of a complex situation. The mere presence of ties between systems does not encourage nor allow sharing of water. The constraints affecting free interchange of water are the enabling act under which each agency operates, the extensive body of case law, and the comprehensive administrative procedures governing water rights. What are the energy trade-offs that would have to be made to make the transfers? Has this cost been calculated, even assuming the energy was available to do it? How would citizens who have bought and paid for supplies be compensated by those who would share them? What about differences in water quality?"

Action 1.3 "No recommendation. The region has recently gone through two years of unprecedented drought, which is now apparently over. To spend \$200,000 to tell us what we already can and have done seems redundant and unnecessary. Future droughts, by their nature, will require different methods and extent of restrictions, depending upon when and where they occur."

Action 1.4 "Support. Construction of San Felipe project and the Peripheral Canal is essential to provide a safe and reliable source of water supply to the region, especially Santa Clara County. The State Department of Resources has concluded that the Peripheral Canal does the least environmental damage to the delta, while providing a means of supplying the region and the State with their water supply requirements. Interties generally exist between local adjoining water agencies and regional interties, where practical, are desirable."

Action 1.5 "Oppose - not required. The region has recently gone through two years of unprecedented drought, which is now apparently over. Most agencies have already put into effect drought contingency plans and were prepared for 1978 if necessary. To spend \$400,000 for a report on a drought contingency plan seems redundant and unnecessary."

ABAG Staff Response:

Agree; all good points that must be considered.

The recommendation concerns using less water during droughts as an alternative to constructing projects to supply unrestricted amounts during droughts.

The plan does not recommend any specific projects.

The cost is an estimate. WMCC would decide.

Individual/Comment:

William A. Gissler, Mayor, City of Santa Clara - Continued

Action 1.6 "Oppose - not required. In most areas of the region where groundwater is a significant portion of the water supply, there are already in existence agencies and plans for the utilization and protection of the groundwater. No need for a \$200,000 report."

Action 1.7 "Oppose - not required. Comment: Same as 1.6."

Action 2.1 "Support."

Action 2.2 "Support. The implementing agency should be the State in order to achieve uniform savings and procedures throughout the State."

Action 2.3 "Oppose - not required. Most agencies have already implemented such programs. No need for duplication of effort."

Action 2.4 "No recommendation. Program may not be applicable throughout the nation. Actual cost savings in energy and water/sewer fees should be sufficient inducement for water conservation."

Action 2.5 "Support with modification. These reports are already being published and submitted to the State Health Department by agencies providing domestic water supplies. The appropriate implementing agency would be the State Health Department or the Department of Water Resources."

Action 2.6 "Oppose. The basis for water rate structures is generally related to a cost-of-service rationale and for that reason is acceptable to the general public and regulatory commissions. In much of Santa Clara County a uniform or inclining rate structure could result in the larger water customers developing private water supply sources, which then could be counterproductive to water conservation efforts. From a practical standpoint, the existing water and sewer rate structures are sufficient inducement in themselves to foster water conservation by large users."

ABAG Staff Response:

New EPA regulations pursuant to the Clean Drinking Water Act do not agree with this lack of need.

Disagree. WMCC should make an initial appraisal of need.

Disagree. No duplication is needed.

Energy and cost savings will be an inducement, but legislation would provide additional savings.

For this region, compilation of the data could be most directly done by WMCC.

The fact is that water rate structures have not necessarily been set to encourage conservation in all cases. Water supply agencies should look into the matter.

Individual/Comment:

William A. Gissler, Mayor, City of Santa Clara - Continued

Action 2.7 "Oppose - not required. Most agencies are in the position to perform these studies or such a study has already been performed."

Action 2.8 "No recommendation. The \$3.7 million study cost and \$62.8 million implementation cost to be borne by agriculture seems excessive. Most agricultural and irrigation districts are in a position to determine what conservation measures are cost effective."

Policy 3 "Support with modification. Revision should be included to relate health issues. Action statement should include "and pose no health or environmental risk."

Action 3.1 "Support with modification. The implementing agency should be a water supply and wastewater agency joint powers authority. Such a program is at present being implemented under the auspices of the State Water Quality Control Board and the State Department of Water Resources."

Action 3.2 "Support."

Action 3.3 "Support with modification. Include the wording "and pose no health or environmental risk" to recommendation. Also include the water supply agencies as potential implementation agencies."

Santa Clara County Medical Society

Action 2.8 "We recommend continued research on the potential uses of reclaimed water, particularly regarding hepatitis contamination. We also recommend research and investigation of the use of ozone as a water purification source."

Petail Water Agencies of Santa Clara County
Same comments as William A. Gissler, Mayor, City of Santa Clara.

ABAG Staff Response:

See response to EBMUD comment.

The cost is small relative to the water saved.

Agree.

Agree.

Agree.

Agree.

Agree, but not to be conducted at regional level.

See responses to William A. Gissler's comments.

WATER SUPPLY COMMENTS AND
RESPONSES

February 16, 1978 to
March 31, 1978

WATER SUPPLY COMMENTS ON NON-SPECIFIC POLICIES AND ACTIONS

Individual/Comment

David K. Gill, Santa Clara Valley Water District

There are two basic assumptions used throughout the Water Supply Management Plan which we believe prejudice the results to the extent that the validity of the conclusions must be seriously questioned. The first is the assumption of sufficient interties between systems to permit the unrestricted transfer of water within the region on a continuing, not just emergency, basis. Such interties do not now exist to the extent assumed and the legal and institutional impediments to such interties are not even discussed. The second is the assumption that as a result of the recent drought the safe yield of developed supplies will be reduced by 26 percent. Also, throughout the text of the Water Supply Management Plan, and other plans, the liberal use of words like "probably", "potentially", "likely", indicate that insufficient factual data has been developed to support the conclusions of the plan. If such is the case, then the action steps associated with the plan should be those necessary only to acquire and analyze such data as are necessary such that supportable conclusions can be drawn.

Harry Seraydarian, U.S. Environmental Protection Agency

Groundwater should be considered as an alternative source of water. Those groundwater basins not having salinity intrusion problems could be used more effectively since there are a number of advantages to groundwater use versus building major new water supply projects. Plan should address threatened water supply intakes in the Bay Area based on drinking water quality standards. This should be done in a summary fashion on the final EMP and expanded in the CPP. The water quality problem section on page IV-13 should be expanded in the CPP to include potential effects of new legislation. The Bibliography should include reference to Tech Memo No. 20 - Salt Water Intrusion into Groundwaters. This Tech Memo should be updated to indicate State of California regulations have been adopted and that EPA National Interim Primary Drinking Water Standards do not include limits for TDS or Cl and are enforceable.

Response

The assumption of unrestricted transfer of water within the region was made in order to determine the region's need for water if unrestricted transfers of water were possible. We agree that we failed to emphasize the many institutional barriers to such an arrangement. Most people agree that safe-yields of surface water supplies will be revised downward as a result of the drought. By what amount remains speculative. We feel it is reasonable to make estimates of such unknowns as part of planning. The numbers can be refined as data accumulates.

We agree. Drinking water quality and the new legislation pertaining to it will be addressed in the CPP.

Individual/Comment

Response

Richard Cole, Association of Environmental Professionals

Review of the Water Supply Plan indicates a need for a systems approach to the analysis of water supply problems; that is, an integration of the results of the conservation and reuse policies with the policy of constructing water supply facilities "as needed." Water conservation experience during the 1975-77 drought suggests that far greater conservation than 6.5 percent can be achieved, and that no substantial additional water supply facilities may be required. Second, increased use of wastewater in various applications could be emphasized over the construction of primary water source facilities.

No response necessary.

San Francisco Tomorrow

There should be a detailed analysis of the area's water supply requirements taking into consideration the capacity of the present water systems with relationship to estimated growth, in particular the necessity of a fourth barrel for the Hetch Hetchy system and the need for new dams to assure water capacity vis a vis the use of dams to generate electricity. All new water projects and additions to existing water projects should be carefully weighed in terms of the environmental effects of the impacted areas.

No response necessary.

S. E. Epler, Fremont Chamber of Commerce

We recommend that each appropriate jurisdiction should insure its own ample supply of safe water. We believe that the experience of the Bay Area indicates that this concept has worked satisfactorily.

It has, but most of the easily available water sources have been developed. It seems desirable that no more expensive new sources are developed than is necessary.

Gary C. Chase for the Town of Moraga

If a Water Supply Management Plan is to be adopted at all, its adoption should be postponed until such time as its policies and actions may be thoroughly reconsidered on a more factual basis than is presently available.

We believe we have enough facts to make intelligent decisions on water supply.

Individual/Comment

Response

Canners League of California

It is generally felt that the plan fails to adequately address markets for reclaimed water. Recent developments in this area indicate the appropriate and safe use of reclaimed waters is unresolved and riddled with uncertainties. We must note that the quality of water necessary for the processing of foods must be maintained at high levels.

The plan notes the present health-based limitations on use of reclaimed water.

Ronald B. Robie, State Department of Water Resources

The Department is wholly in agreement with the policies proposed in the ABAG Water Supply Management Plan. These policies are consistent with the Water Management Policy of the Department which emphasizes the conservation and reuse of water resources already developed before new sources are developed. We recommend that your plan, however, make reference to other studies already being conducted by the Department in the ABAG area. These include regional water management, wastewater and ground water studies. There could be many problems and controversies because the report only includes a graphical representation of water demand and supply for the Bay Area as a whole. We recommend for the water demand and supply scenarios that the Bay Area be divided into regions.

First point: we regret the omission. Second point: the regional analysis was included to illustrate what the situation would be if water could be moved around the region freely. The final EMP will include the subregional analysis used to develop the regional picture.

Rai Y. Okamoto for the San Francisco Planning Commission

The EMTF Water Supply Management Plan should be endorsed and supported, but the following comments should be passed on to ABAG: On Page IV-3 is the statement "a second possible inefficiency stems from the fact that municipal sources are planned to supply unrestricted water during droughts." This statement is not true for San Francisco; and the plan should not encourage communities that are unwilling to finance water supply systems to meet drought emergencies to rely on systems in other communities where provisions have been made in such emergencies.

"Normal" water use is probably a better term than "unrestricted".

Individual/Comment

Jon Q. Reynolds, East Bay Municipal Utility District

We find that even though many of the specific amendments requested by this District were not accepted by EMTF, the revisions that were made have in large measure satisfied our concerns. We endorse the Plan Recommendations for Water Supply Management as amended.

John R. Gomes, Alameda County Water District

In this element the water supply availability and water demands forecasts are handled on a Bay Area-wide basis. This presentation would erroneously support a conclusion that there is an adequate supply throughout the Bay Area to meet anticipated demands until the year 2000. Moreover, the water supply forecast assumes that all the contracted volumes of water will be delivered. This ignores the problem of meeting State Water Project maximum entitlements until the Peripheral Canal and additional water supply yield facilities are constructed.

Richard A. Spellman, City of El Cerrito

It is my belief that utilities should operate to provide quantity limited only by the ability of customers to pay incremental costs. The job of our water agencies, then, is to provide water at incrementally increasing prices as the market demands. If we have drought or shortages for other reasons they should: (a) Use tankers to transport fresh water from the Columbia River or Alaska; tanker rates will determine the incremental cost. (b) Use idle oil/gas pipelines to deliver Mississippi River water to the West Coast. (c) Build solar evaporators. (d) Develop other water sources. In other words, agencies should not refuse service. Water is deliverable at a price; at that price agencies should procure and deliver it.

Response

No response necessary.

First point: see response to Ronald Robie. Second point: we agree and will so note in final EMP.

We agree, but costs should include environmental and social costs.

Individual/Comment

Response

Bill Press for the Governor's Office of Planning and Research

The plan's philosophy of saving or reusing existing supplies is excellent. The sixteen recommendations designed to implement this philosophy are comprehensive in scope.

No response necessary.

Alice Roylance for the City of Mountain View

Local policy generally endorses the Planning Policy Committee of Santa Clara County position on the EMP.

No response necessary.

Stephen R. Thatcher, City of Antioch

The first three plans (Water Quality, Water Supply and Solid Waste) do not seem to provide a major concern for the City. They are aimed at improving regional problems and will benefit all of us in the Bay Area.

No response necessary.

Richard C. Rhodes, Santa Clara County Medical Society

A South Valley study should be done regarding water quality in existing wells, especially with regard to nitrites and coliform bacteria, and a study of the impact of increasing number of wells co-existing with septic tanks in the South Valley.

This could be a part of recommended groundwater studies.

Thomas E. Brantley, San Leandro Manufacturers' Association

We believe that implementation of these programs should be handled by existing agencies. We support the principle of interagency transfer of water to provide for periods of drought or other disasters.

No new agencies are proposed.

Individual/Comment

Response

Louisa Jaskulski, PACE

Policy 1 - The Water Management Coordinating Council represents a major step forward. The baffling number of water supply and reclamation agencies has too long represented a maze of little kingdoms each seemingly as interested in protecting its own turf rights as in assuring adequate water supply and ground water quality protection. The recent drought has shown that people and agencies in the Bay Area can conserve and can plan together. This seedling effort needs to be formalized and continued through the Coordinating Council.

No response necessary.

Janet Gray Hayes for the City of San Jose

Policy 1 - Support.

No response necessary.

Action 1.1 - Support.

Action 1.2 - Support. Should be amended to read "Evaluate the costs, benefits and feasibility"

Action 1.3 - Support

Action 1.4 - Support. The plan takes no position on individual planned water projects such as the San Felipe Project.

Action 1.5 - Support.

Action 1.6 - Support.

Action 1.7 - Support.

Gary Falati for the City of Fairfield

Policy 1 - We recommend that the Water Management Coordinating Committee include equal representation for each county and those water and wastewater agencies within the county.

In the initial stage this may not be possible if the committee is to remain a manageable size.

Individual/Comment

Response

Stephen R. Thatcher, City of Antioch

Action 1.1 - Formation of the WMCC would result in policies and actions which may assure an adequate supply of water while stabilizing its price. No direct cost of such committee is expected. Any costs incurred by the committee either directly or indirectly would be passed on to the consumer in the form of higher utility costs.

No response necessary.

W. H. Parness for the City of Livermore

Action 1.1 - Modify to establish WMCC with the following issues and tasks assigned: (a) Evaluate the benefits and feasibility of increased interagency water transfers. (b) Evaluate the costs and benefits of accepting restrictions on water use during droughts. (c) Construct water supply projects in accordance with estimated needs and environmental goals and objectives. (d) Prepare a drought contingency plan. (e) Conduct survey of status, use, and plans for all groundwaters in region. (f) Prepare regional groundwater basin management plan.

EMTF made this change almost in its entirety.

John R. Gomes, Alameda County Water District

Action 1.1 - We see no need for the WMCC on a formal basis at this time. We agree that an informal committee of water supply agencies may be useful for coordinating the use of imported supplies during emergencies and to form the basis for future cooperation.

Initially it will be informal; maybe more formal later if seen to be desirable.

Action 1.4 - The EMP assumes in its planning, and sets up as a goal, interties between the distribution systems of water supply agencies throughout the Bay Area for integrated operation essentially on a routine basis. There are obvious major problems in this proposal. Among them are legal, financial, jurisdictional and political constraints.

Agree; we understated the problems.

Individual/Comment

Alice Roylance, City of Mountain View

Action 1.3 - Delete. This study is unnecessary. The region has gone through two years of unprecedented drought. A \$200,000 study to tell what is already known is a waste of money.

Action 1.6 - Delete. The county water districts already have sufficient data on groundwater resources to manage this water source effectively.

Action 1.7 - Delete. No necessary. Same as 1.6.

Action 1.5 - Delete. All water supply agencies were forced to prepare drought contingency plans last year. A \$400,000 report would be redundant and unnecessary.

Clayton E. Brown for the City of Pleasanton

Policy 1 - No change.

R.D. Martin for the San Mateo County City Managers' Association

Policy 1 - Clarify that major water agencies should include retailers of water.

Bill Press, Office of Planning and Research

Policy 1 - The formation of a WMCC is central to the implementation of at least nine of the sixteen recommendations of this plan. This Office believes that open communication, coordination and cooperation between agencies must play an important part in solving the water supply problems identified in the plan. However, in discussions with ABAG staff and from inferences in the plan, it appears that little "groundwork" has been laid to ensure the formation of a successful WMCC. ABAG should "get the ball rolling". In addition, ABAG should closely monitor the progress of the WMCC to make sure that the recommendations which the group is responsible for are carried out in a timely manner. If for some reason the

Response

The information the study will acquire is not available at present.

EMTF disagrees.

EMTF disagrees.

EMTF disagrees; cost estimate has been eliminated.

No response necessary.

Initially the committee may be limited to wholesalers and retailers with their own source.

Not true about lack of groundwork. Managers of all major agencies have met with ABAG staff and have informally agreed to participate in WMCC. ABAG has no authority over and little influence on the water agencies.

Individual/Comment

Bill Press (Cont.)

WMCC is unable to carry out any of its responsibilities, ABAG should devise alternative methods to implement the recommendations.

Ronald B. Robie, State Department of Water Resources

Policy 1 - It is not clear in the report whether the WMCC will operate with the staff of the various member water agencies or have its own staff. The formation of the WMCC seems to be a very important recommendation in the plan. Therefore, the modes of operation and problems associated with the various modes should be discussed in the plan.

Actions 1.6 and 1.7 - The recommendations to Actions 1.6 and 1.7 could duplicate ground water studies by the Department and other water agencies. More details are required before the Department can make a specific recommendation.

City of Novato Planning Department

Action 1.1 as modified by EMTF - The Planning Commission recommends deletion of this action.

Supervisor Arnold Baptiste, Marin County:

Policy 1 - Adopt.

Action 1.1 - Adopt.

Action 1.2 - Delete. Actions 1.2, 1.3, 1.5, 1.6 and 1.7 should be deleted as actions but included under Action 1.1 as issues and tasks to be considered by WMCC for action.

Action 1.3 - Delete

Action 1.4 - Adopt with modifications. Amend to read: Construct water supply projects in accordance with estimated needs and environmental goals and objectives.

Response

This has not been decided. WMCC members will decide at first meeting.

If the recommended effort duplicates DWR studies we will consider eliminating these actions.

No response necessary.

EMTF did this.

Individual/Comment

Response

Supervisor Arnold Baptise (cont.):
Action 1.5 - Delete.

Action 1.6 - Delete.

Action 1.7 - Delete.

Richard Cole, Association of Environmental Professionals

Policy 1 - We strongly support the concept of the proposed coordinating group, since it could foster the integrated analytical approach we recommend.

No response necessary.

James E. McCarty, Director of Public Works, and Norman J. Lind, Director of City Planning, City of Oakland

Policy 1 - There should be no direct economic impact on the city due to these actions. Construction of needed new water supply facilities as part of the actions proposed under this policy could affect the public through higher user charges or taxes needed to help finance a portion of these costs. Increased interagency transfer and construction of additional interties between existing water systems could result in reduced water quality for water users in Oakland area.

No response necessary.

Harry Seraydarian, EPA

Action 1.6 - Should include information on dischargers to groundwaters. Status should include a comparison with primary drinking water standards.

See earlier response to Harry Seraydarian.

David K. Gill, Santa Clara Valley Water District

Policy 1 - We wholeheartedly support this policy with the realization that minimum monetary cost and minimum environmental cost are not always compatible and a balance between the two is what must be sought.

No response necessary.

Action 1.1 - We see no need to formalize such a group through a joint powers or any other such agreement at this time. Rather, we suggest that it be voluntary.

We agree.

Individual/Comment

Actions 1.2, 1.3, 1.5 and 1.6 - These steps could probably best be carried out by the individual agencies and most probably already have been done or are in the process. There is no need to have another "umbrella" agency such as the WMCC to perform them although a forum for exchange of information may be helpful.

Action 1.4 - We support this action step but wonder why this follows a statement in the plan text that the "exact nature of facilities cannot be determined." Each agency must determine those projects which are deemed necessary for that agency to provide its mandated service including emergency interties.

Action 1.7 - Groundwater basins are not regional or even subregional in many cases. There is no need for ABAG, the WMCC or the RWQCB to be involved in any but an advisory capacity, if such advice is requested.

Response

We disagree. No individual agency sees the region as a whole.

Although each agency will decide what projects it needs after safe yields have been revised its decision might be influenced by discussions at WMCC.

We tend to agree; however, EMTF recommended this as a WMCC study item.

Janet Gray Hayes, City of San Jose

Policy 2 - Support.

Action 2.1 - Support.

Action 2.2 - Support.

Action 2.5 - Support.

Action 2.6 - Support.

Action 2.7 - Support with modification. The purpose of this action is unclear and should be clarified. Review of the impacts listed for this action suggest that one purpose of the study would be to determine how much water conservation efforts have increased the unused capacity of existing treatment plants. The action should be re-worded to make this point clear. Eliminated by EMTF.

Action 2.8 - Support.

Stephen R. Thatcher, City of Antioch

Action 2.1 - As a water agency, the City of Antioch would bear the cost of any promotional campaigns to conserve water. As experienced in the current drought years, continued conservation practices may result in decreasing water revenues which would have to be supplemented by increased charges or other means. The benefits of such a program, however, have been evidenced in this past year.

No response necessary.

Action 2.2 - The City of Antioch would bear the cost of finding devices appropriate for the users in this area and modify local building requirements appropriately. However, costs to the City are not expected to be substantial.

No response necessary.

Action 2.6 - The City of Antioch initiated a modest conservation rate structure during 1977. While the full impact in operating revenues has not been evaluated, it is not anticipated that such a rate structure will have an adverse effect on the operating funds. Largest impact is thus placed on nonresidential users.

No response necessary.

WATER SUPPLY COMMENTS TO SPECIFIC POLICIES AND ACTIONS

Page thirteen

Individual/Comment

Response

W. H. Parness, City of Livermore

Action 2.1 - [Modify to] Implement water savings programs for residential, commercial, industrial and agricultural uses.

EMTF approved a similar modification.

Action 2.4 - [Modify to] Enact or support legislation to provide incentives for retrofitting water conservation devices in all applications.

EMTF approved a similar modification.

Action 2.7 - [Modify to] Conduct study to determine impact of water conservation measures on sewage treatment costs.

Eliminated by EMTF.

Alice Roylance, City of Mountain View

Action 2.3 - Modify j. The SWRCB should be the Implementing Agency rather than ABAG.

SWRCB has statewide responsibilities.

Action 2.5 - Modify. State Health Department of Department of Water Resources should be the Implementing Agency rather than ABAG. These agencies already collect the necessary data.

Neither agency collects all the necessary data. There would be no objection to either of them running the public information program but is questionable whether they would want to.

Action 2.6 - Delete. This issue needs more study.

Charged by EMTF to study item.

Clayton E. Brown, City of Pleasanton

Policy 2 - No change.

Ronald B. Robie, State Department of Water Resources

Action 2.7 - The Department agrees with Action 2.7.

EMTF deleted this action.

Action 2.8 - Action 2.8 recommends proposals that are consistent with the Department's water management policy. The amount of agricultural water conservation is overstated.

No response necessary.

City of Novato

Action 2.2 (approved as Action 2.3 by EMTF) - The Planning Commission recommends deletion of this action.

No response necessary.

Action 2.3 (approved as Action 2.4 by EMTF) - The Planning Commission recommends deletion.

Action 2.5 - (modified and approved as Action 2.6 by EMTF) - The Planning Commission recommends deletion of this action.

Action 2.6 - (modified and approved as Action 2.7 by EMTF) - The Planning Commission recommends deletion of this action.

Donald B. Gutoff, Marin County Planning

Policy 2 - Adopt.

Action 2.1 - Adopt with modifications. Amend to read: Implement water savings programs for residential, commercial, industrial and agricultural uses.

EMTF approved a similar modification.

Action 2.2 - Adopt.

Action 2.3 - Adopt.

Action 2.4 - Adopt with modifications. Amend to read: Enact legislation to provide incentives for retrofitting water conservation devices in all applications.

EMTF approved a similar modification.

Action 2.5 - Delete. This action as a separate funded activity is unnecessary. Information can be collected and compiled from existing publications.

Someone has to fund and do the compilation work.

Action 2.6 - Adopt.

Action 2.7 - Adopt with modifications. Amend to read: Conduct study to determine impact of conservation measures on sewage treatment costs.

Deleted by EMTF.

Action 2.8 - Adopt.

WATER SUPPLY COMMENTS TO SPECIFIC POLICIES AND ACTIONS

Page fifteen

Individual/Comment

Response

San Francisco Tomorrow

Action 2.2 - Include in the building codes the requirement that water saving devices are required when existing fixtures are replaced and/or additional fixtures are added to a building.

This is a good suggestion.

City of Hayward

Action 2.6 - The proposal to revise water rate structures to encourage conservation is a laudable objective but a much more complicated problem than envisioned here. The City of Hayward believes that this policy should be recommended to existing water supply agencies.

EMTF made this a WMCC study item.

J. E. McCarty/N.J. Lind, City of Oakland

Policy 2 - Changes in the Building Code will be required of the City to include water conservation devices in new construction. Saving water actions could result in increases in maintenance costs for older homes and a minor cost increase for new homes. Adjustment of rates to discourage large use of water could result in an increase in costs of goods due to increased costs charged the large industrial users. Also reduced water use by consumers can result in higher user costs due to fixed costs of water supply agencies.

No response necessary.

Harry Seraydarian, EPA

Policy 2 - The measures to ensure implementation should be developed more fully. The public education and financial incentives should be discussed.

We will attempt to do this.

Action 2.3 - Landscaping should be discussed.

This is the subject of a new Action 2.8 approved by EMTF.

Action 2.6 - Pricing should be discussed under water demand on page IV-9. This would support Action 2.6 on encouraging conservation.

David K. Gill, Santa Clara Valley Water District

Actions 2.1, 2.2 and 2.3 - This District supports the concept of water saving and believes that the programs under action steps 1, 2 and 3 are already being done.

No response necessary.

Action 2.4 - The nature of the incentive, its effectiveness and cost should be known before appropriate comments can be made.

Actions 2.5 and 2.7 - Is there a need for ABAG or the WMCC to be involved in these studies? Are they not the responsibility of the local agencies? Annual water use reports are prepared by most agencies now, and if one agency needs to know what another is doing, a simple phone call will suffice.

EMTF eliminated 2.7. The report would be for the public and should contain data from all agencies.

Action 2.8 - Agricultural conservation, other than improved management practices, must be evaluated on a case by case basis to ensure that sufficient credits accrue to the farmer to justify any capital expenditure.

Agree.

Janet Gray Hayes, City of San Jose

Policy 3 - Support, with modification. There is no mention in the Plan of the currently unresolved public health issues related to the use of reclaimed water. The Plan should at least recommend continued research aimed at determining the validity of the public health concerns which are currently restricting potential uses of reclaimed water.

EMTF added an action on this subject.

Action 3.1 - Support. We assume this refers to the Wastewater Solids Study currently in progress.

The action refers to the soon-to-begin regional reclamation study.

Action 3.2 - Support.

Action 3.3 - Support.

Richard C. Rhodes, Santa Clara County Medical Society

Action 3.1 - We recommend continued research on the potential uses of reclaimed water, particularly regarding hepatitis contamination. We also recommend research and investigation of the use of ozone as a water purification source.

No response necessary.

WATER SUPPLY COMMENTS TO SPECIFIC POLICIES AND ACTIONS

Page seventeen

Individual/Comment

Response

W. H. Parness, City of Livermore

Action 3.1 - [Modify to] Conduct a review of wastewater reclamation demonstration projects to determine their feasibility in the Region.

State has already committed funds for regional study.

Action 3.2 - Delete.

Action 3.3 - Delete.

Joseph Beeson

Policy 3 - There seems to be a significant need for reclaiming water, and pursuit of this area should be given top priority, especially within the framework of building new towns and overall alternative energy systems.

We agree.

Alice Roylance, City of Mountain View

Action 3.1 - Modify. Such a program is being carried out by the new State Office of Water Recycling. Therefore, that agency should be the implementing agency rather than ABAG.

It isn't. The study referred to is funded by SWRCB and EPA and guided by a group of water and wastewater agencies.

Clayton E. Brown, City of Pleasanton

Policy 3 - [We recommend] that a request for a clarification of cost effective, as used in the policy, be made and that the resulting definition be inserted in the policy actions.

Cost effective reclamation is that reclamation that delivers water less or equal to the cost of other sources.

Donald B. Gutoff, Marin County Planning

Policy 3 - Adopt

No response necessary.

Action 3.1 - Adopt.

Action 3.2 - Adopt.

Action 3.3 - Adopt.

J. E. McCarty, N. J. Lind, City of Oakland

Policy 3 - Actions calling for conducting a regional reclamation study, establishing a priority system for allocation of grant funds for reclamation projects and constructing cost effective wastewater reclamation projects should have no direct impact on the City.

No response necessary.

Donald K. Gill, Santa Clara Valley Water District

Action 3.1 - A regional reclamation study is already underway. Thus this action step is not required.

Included for completeness.

Action 3.2 - The SWRCB already has a priority system for allocating monies to reclamation projects. If a revision to that system is proposed it should be defined.

Eliminated by EMTF.

Action 3.3 - Construction of reclamation facilities should not be the sole province of wastewater agencies, but rather should be joint ventures of the wastewater and water supply agencies.

Agree.

SOLID WASTE PLAN COMMENTS

January 3, 1978 to
February 16, 1978

Solid Waste Policies and Actions - Comments Not Specific to Policies or Actions

Individual/Comment

ABAG Staff Response

Santa Clara County Board of Supervisors:

The Board of Supervisors supports most of the policies and actions proposed in the draft Solid Waste Management Plan, with some proposed modifications.

The Board suggests modifications for certain policies and actions. For specific modifications, see:

See response to comments under each policy.

- o Policies 5, 6, and 7
- o Action 9.2
- o Action 13.3
- o Policy 15

* * * * *

Santa Clara County Solid Waste Program Technical Advisory Committee

The Technical Advisory Committee recognizes the need for waste management planning and implementation on a regional and areawide basis. These are issues which we and counties around us identified during our own planning programs which cannot be resolved by a single jurisdiction. However, we seriously question the role which ABAG has to plan in these solutions, as that role is defined in the Environmental Management Plan for the San Francisco Bay Area.

ABAG was created by cities and counties to look for cooperative solutions to problems that cannot be solved by individual jurisdictions. ABAG's role in this plan focuses on solutions to regional issues identified in the Santa Clara County Plan and other Bay Area County Plans as noted. Recommended actions to be undertaken by ABAG are for research, planning, coordination, review and comment, information exchange and advocacy--all of which are authorized under the organic JPA or through designations under HUD 701, OMB Circular A-95, FWPCA Sec. 208, SB5, SB424, and Resolution 76-38 of the State Solid Waste Management Board.

Individual/Comment

Santa Clara County Solid Waste Program Technical
Advisory Committee, cont'd:

We believe that the "Clean Water Act" of 1972 and Section 208 requirements along with recently adopted PL 94-580, Resource Conservation and Recovery Act, do not require the establishment of a new, regional planning and implementation agency since such needs are already met by the State Solid Waste Management Board, the State Water Resources Control Board and existing, complementary local agencies.

With this in mind, we present the following general comments:

o Much of the vitality, strength and coordination which can and should be achieved in waste management throughout the region is dissipated by and among the many conflicting and/or overlapping agencies which presently have statutory responsibilities in the field. The imposition of an additional layer of government, the intrusion of an additional planning/coordination/implementation agency into this melange cannot but create additional confusion and delay, further heighten conflicts and, perhaps most important of all, further erode local prerogatives.

o State and Federal legislation has already made a start at aggregating this existing diversity and coordinating it into a coherent process under the State Solid Waste Management Board. The Board has accumulated expertise in the field which does not exist at the regional level; the Board operates through an orderly system of geographic

ABAG Staff Response

Clean Water Act amendments of 1972 regulations require 208 agencies to identify a process to control disposition of all residual wastes to protect water quality. The policies and actions of the draft regional solid waste management plan describe this process. Interim Guidelines (RCRA-FR-5/16/77) for Identification of regions and agencies for solid waste management suggest that 208 agencies be considered for designation under RCRA. Since ABAG is the 208 planning agency and has fulfilled the 208 requirement, no new regional agency for solid waste planning is proposed in the EMP.

No "implementation" role for ABAG--in terms of carrying out either local or regional construction, operation, maintenance or enforcement is proposed in the EMP. Appropriate State, regional, and local implementing agencies are identified in the draft regional Solid Waste plan.

The plan recognizes the diversity and number of agencies with solid waste responsibilities, brings them together in a single document and provides--for the first time--a mechanism for coordination. ABAG has expertise in planning and coordination at the regional level

Individual/Comment

ABAG Staff Response

Santa Clara County Solid Waste Program Technical
Advisory Committee, cont'd:

divisions throughout the State and has cultivated the communications network to make it all work.

Waste management responsibilities should be retained by the State Board, as mandated by SB5, operating through regional districts established to aid local government to serve the unique needs of the region and to aid in implementing countywide plans, in the manner of the Water Pollution Control Act of 1972.

o Creating a new level of waste management involvement at the regional level, as required by SB424, serves only to further impede the efforts at coordination and cooperation between counties and the State in carrying out local plans. As an issue aside from the EMP, it is incumbent that SB424 be repealed.

o We advocate that Federal and State action in waste management be focused primarily upon the implementation of countywide Plans in the form of State and Federal grants, similar to the Clean Water Act, particularly in the area of constructing resource recovery facilities, which require extraordinary capital expenditures.

that does not exist within the State Solid Waste Management Board staff. The State Board has a network of communications with each of the 58 counties. Coordination among the 9 Bay Area counties and between these counties and the State Board was provided during the SB5 process--by ABAG--through regular meetings and by ABAG staff participation on county technical advisory committees at the request of Santa Clara, Alameda, and Napa counties. All nine counties had staff participating on the Technical Advisory Committee for the draft regional solid waste plan.

Creating regional districts of the Solid Waste Management Board, similar to the Regional Water Quality Control Boards, would require new legislation in the face of strong opposition to the creation of any additional special purpose regional agencies in the Bay Area.

SB424 merely gives legislative recognition to actions that ABAG is already authorized to do and has been doing for several years. It does not create any new waste management involvement at the regional level.

The draft solid waste management plan is focused primarily on facilitating the implementation of countywide plans through:

- 1) filling information gaps on technology and marketing before resource recovery projects can be established;

Individual/Comment

ABAG Staff Response

Santa Clara County Solid Waste Program Technical
Advisory Committee, cont'd:

- 2) coordinating multijurisdictional projects for source reduction, resource recovery, marketing, hazardous waste and sewage sludge disposal; and
- 3) advocating Federal and State legislation for improving market conditions, promoting waste reduction and resource conservation, and financial assistance for construction of resource recovery facilities.

o The three plans contained within the Environmental Management Plan do not work together in a fashion to permit joint, coordinated solutions of problems of the region. For example, there is no consideration of the prospects for incineration of wastes, and attendant air and water quality considerations in return for the multiple advantages of producing useful energy, reducing the quantities of waste disposed of to land, reducing the quantities of land used, and associated, prospective environmental problems ascribed to landfill. Such considerations would be particularly timely in view of the current, pending crisis in energy and the potentially devastating impact which the crisis will have upon the economic health of every community in the Bay Region.

Our detailed review and evaluation of the EMP has necessarily been limited to the Policy Statements, Action Statements and to the Implementing Agencies for each. The remaining commentary in that document may or may not be pertinent and accurate. Our specific comments are best addressed to each of the policy and action statements in the Solid Waste Management Plan and are contained in the accompanying pages.

Consideration of air and water quality or other implications of incineration of wastes is addressed under policy 3, page V-36, 38, both in the review of proposed large scale waste to energy projects in Action 3.1., and in the research and demonstration projects proposed in Action 3.2. Wording should be changed to clarify this.

ABAG authorities are described in the Introduction which was not reviewed. Confusion was caused by ABAG's use of "Implementing Agency" in the policy and action tables, instead of "Responsible Agency." This will be changed.

Individual Comment

ABAG Staff Response

Santa Clara County Planning Policy Committee:

Same as for Santa Clara County TAC, above.

see Santa Clara County TAC, above.

The Planning Policy Committee supports most of the policies and actions proposed in the draft Solid Waste Management Plan, with some proposed modifications.

The PPC endorses the recommendations of the Solid Waste Management Program Technical Advisory Committee on the Solid Waste Management Plan.

* * * * *

City of Santa Clara:

Same as for Santa Clara County TAC, above.

* * * * *

see Santa Clara County TAC, above.

City of Mountain View:

General Comment: The plan calls for implementation of the County solid waste management plans. The plan states that ABAG should be the implementing agency. It is strongly felt that this will create one more reviewing agency which will lengthen review time, create duplication of effort and further complicate solution of solid waste problems.

see Santa Clara County TAC, above.

Recommended Position: Support, except that State Solid Waste Management Board should continue to be the implementing agency for those matters that are regional in nature rather than ABAG.

* * * * *

Town of Los Gatos:

This portion of the Plan was developed locally. No significant problems are found in the Plan as proposed. It is recommended that the Town Council take the position that the Solid Waste Management Plan is basically acceptable to the Town.

No response needed.

Individual/Comment

ABAG Staff Response

City of Milpitas :

"We have no serious objections to the solid waste element."

* * * * *

Santa Clara County Medical Society, Environmental Health Committee:

Conspicuously absent in the Plan is any review of the problem of nuclear wastes and their management and control as it might apply to the Bay Area.

No response needed.

Management and control of nuclear wastes is the exclusive responsibility of a number of Federal and State agencies, such as the Energy Research and Development Administration (ERDA). The Nuclear Regulatory Commission (NRC), and the State Department of Health. In addition, the Resource Conservation and Recovery Act (RCRA) and SB5 both define the term "solid waste" in such a way that nuclear wastes are not included as solid wastes. Therefore, the plan does not address the problem of nuclear wastes. However, staff did prepare a memo to the EMTF on monitoring of radioactive emissions in July, 1977.

The Solid Waste Management Plan will need significant enforcement to be effective. County health departments have often been given this responsibility, but have suffered from under-funding. Adequate funding in this area is vital.

* * * * *

East Bay Municipal Utility District:

We have reviewed this element for potential impact on the East Bay Municipal Utility District and have only one comment at this time. We believe that the proposed implementation of the Wastewater Solids Management Plan (now being prepared under the joint powers agreement to which the District is a party) is an appropriate and reasonable program for the disposal of wastewater sludge.

The plan calls for adequate funding by Federal and State governments of all enforcement activities.

No response needed.

Individual/Comment

ABAG Staff Response

Contra Costa County Planning Department:

Bring the EMP into conformity with state and County plans by:

Removing all reference to the county plans having to comply with the regional plans, since Section 66780.5 of the Government Code states that the regional plan shall be based primarily on the county plans, and not the reverse (pg. V-17, third paragraph).

We do not find any statement that county plans must comply with the regional plan on pg. V-17. However, the Solid Waste Management Board Resolution 76-38 on the Relationship Between County Solid Waste Management Plans and Section 208 (PL92-500) Plans, states: "BE IT FURTHER RESOLVED that in areas where the 208 designated agencies determine need for or require a change in the county solid waste management plan activities, that these changes be accomplished through amendments to the County Plan in accordance with Section 66780 of the Government Code."

Policy 1, Action 1.2 calls for updating the county plans as required by SB5, and to be consistent with the regional plan. As the County Plans are updated, ABAG will review them to identify and work out with counties possible inconsistencies and incorporate changes into the regional plan. Wording should be changed to clarify this.

Adding a sentence on pg. V-17 (after the word "programs") which states "This includes all the components of these counties' Solid Waste Management plans for the short, intermediate, and long range as they were developed pursuant to SB5."

The statement suggested can be added. It should be understood, however, that intermediate or long-term plans of the counties are necessarily less detailed than the short-term plans and are subject to change as the plans are updated.

Add to the wording on pg. V-17 (second paragraph after the word "available") ". . .and based on changes to the County Solid Waste Management Plans."

The updated plan will reflect changes in the county plans but also incorporate results of ongoing planning activities of State, regional and local agencies, and include more detailed planning for regional issues (see Action 2.1, pg. V-36).

Solid Waste Policies and Actions - Comments Not Specific to Policies or Actions

Individual/Comment

ABAG Staff Response

San Leandro Manufacturers' Assn.:

The plan fails to give identification to either temporary or permanent jobs to be created and therefore presents an unbalanced picture of benefits to be derived from projected spending estimates.

* * * * *

City of Brisbane:

Why was there no mention of Class III wastes per se? They should be treated differently from other solid wastes.

* * * * *

San Francisco Planning & Urban Renewal Assn.:

While SPUR recognizes that this element was perhaps the lowest priority in the overall Environmental Management Plan, it is flawed by its total reliance on existing county solid waste management programs. San Francisco's plan, for instance, is totally inadequate in this regard, proposing to do little more than continue present practices.

A summary of the effects of the plan on unemployment are presented in pages II-18 to II-20.

The treatment of Group 3 wastes is addressed in the county plans which are the foundation of the regional plan. These wastes are not currently identified in county plans as a problem needing a regional approach.

County Plans were mandated by State law (SB5 - 1972). SB424 (1977) requires ABAG to prepare a regional solid waste management plan based primarily on the 9 county plans, and addressing issues identified in the county plans as requiring a regional approach. Lack of certain technical or cost information and stable markets for recovered materials make it impossible for county plans to go beyond the status quo. The regional plan proposes to supply the missing information, advocate legislation to promote marketability and facilitate multi-jurisdictional projects for waste reduction and resource conservation and recovery.

Individual/Comment

ABAG Staff Response

League of Women Voters-Bay Area:

Supports comprehensive planning for solid waste management. Two major omissions from the Solid Waste Management Plan: first, it lacks a focus; there is no statement of overall goals to be met. Second, there is no identification of policies for which the regional approach is peculiarly suited. Urges the Plan to consider resource recovery and waste reduction as primary targets. Suggests inclusion of specific figures on these two areas, such as potential for resource recovery and waste reduction and goals in Bay Area.

* * * * *

Bay Area Recycling Activists:

"The draft Solid Waste Management Plan represents a well-constructed floor for Bay Area solid waste practices in the next 22 years--but one on which several structures, some falling far short of current environmental standards, could be erected. Its overall objectives are unstated, and we find this unwise and unnecessary. Unlike the situation with respect to the Air and Water Quality Management Plans, at best rudimentary environmental goals have been formulated by Federal and State solid waste officials."

Eight overall objectives of the solid waste plan are listed on page V-3. Resource recovery and waste reduction are primary targets, along with providing maximum protection to the human and natural environments. Because the plan is intended to coordinate all solid waste management activities in the region, and many State, regional and local agencies share the responsibility for waste management in the region, the plan does not single out policies and activities for which a regional approach is peculiarly suited. However, the recommended actions do address the 4 regional issues identified by the counties and discussed on pages V-11-13. Since the plan proposes to assist counties in meeting their resource recovery goals, staff will recommend to EMTF that the Plan include the statewide goal of 25% reduction in wastes going to landfills by 1980--that governs the county plans.

See LNV comment, above. Overall objectives are stated on page V-3. Staff will suggest to EMTF addition of a goal of 25% reduction of wastes to landfills by 1980--to be consistent with Statewide goal and county plans. As plan is updated and mixed waste processing from centralized facilities becomes feasible, the percentage will be raised. Recommended actions in the plan include research to secure such information as the benefits of achieving a quantified goal, as well as advocacy of adequate State financial support to recycling/source reduction and cost-effective

Individual/Comment

ABAG Staff Response

Bay Area Recycling Activists, Cont'd:

"Bay Area goals of 25% from source reduction/
source separation/recycling, and an additional
40-50% from mixed-waste processing for energy and
material recovery from centralized facilities,
are, in our judgment, attainable 1985 objectives."

energy/material recovery systems.
Wording of policies or actions will
be modified to clarify them.

"These goals, and not the new wave of sanitary
landfills should be the primary objective of your
draft Solid Waste Management Plan. ABAG does not
have a regulatory or direct financial role in
solid waste; rather, its role--as set forth by
Senate Bill 424, empowering it to create a regional
plan--is advisory, which is to say, both visionary
about the potential and forthright about the feasible.
In both respects, your plan should change its focus
from the floor to the framework of a realizable,
environmentally sound solid waste management system
for the Bay Region. The participant local governments
are fully capable of realizing such a project, pro-
vided the State Legislature gives adequate but
modest financial support to recycling/source reduc-
tion and cost-effective energy/material recovery
systems.

Finds "the regional plan lacking both an overall,
quantified goal in terms of the environmental
objective of diversion from landfill for mixed
urban wastes, and computation of the benefits of
achieving such a goal..."

"Despite our considerable reservations about the
plan's lack of quantified environmental objectives
or social and economic benefits, there is much in
it which merits praise, particularly for being
carefully thought out and dovetailed with other
elements of the plan."

Individual Comment

ABAG Staff Response

Oakland Chamber of Commerce:

Summary of Actions, page 48, items 3 and 4, reads as follows:

- " - Review of proposed resource recovery projects.
- Development of additional information needed for resource recovery planning."

Recommend be re-worded to indicate recognition of the importance of large-scale, mixed-waste resource recovery facilities (capital intensive projects) in meeting goals of reduction of waste to landfills. Source separation alone will not meet the goals.

Map on page V-23 of EMP showing the Solid Waste Management System for the Bay Area (1975-1980) does not show a processing plant at the foot of Davis Street in San Leandro.

Recommend that map be revised to show the processing plant.

* * * * *

Chevron U.S.A.:

The Solid Waste Management Plan recommendations needlessly inject ABAG into many areas that are now satisfactorily handled by state and county agencies. We recommend that the Solid Waste Management Board, County Solid Waste Management Agencies, Department of Health and the Regional Water Quality Control Board be designated whenever possible as the implementing agencies and ABAG not interject itself into this area.

The plan recognizes the need for a balanced approach. Policy 3 and its supporting actions are developed to ensure large-scale resource recovery facilities will become part of the solutions to the solid waste problems.

Base year for map is 1975. The map will be revised in the annual update process.

Agencies shown as "implementing agency" opposite each recommended action of the solid waste plan are the agencies which have authority to carry out that particular action. Staff recommends that this column heading be changed to "responsible agency," to avoid confusion with "implementation" defined as construction, operating, regulation. ABAG has responsibility, through statute or designation, for all actions assigned to it in the Summary tables. The State Solid Waste Management Board, the county Solid Waste Management Agencies, the Department of Health and the Regional Water Quality Control Board do not have the authority to perform these actions.

Individual/Comment

ABAG Staff Response

State Solid Waste Management Board:

CHAPTER I, INTRODUCTION

Page I-2, Para. 3. It should be stated that the regional solid waste plan will be included in the state plan only after approval by the State Solid Waste Management Board. Additionally, more detail should be provided here to describe the relationship between the requirements of Section 208 and SB424 planning.

This will be done.

CHAPTER II, PUTTING THIS PLAN IN PERSPECTIVE

Page II-1, para. 1. The words "disposing of solid waste" appear to be used interchangeably with "solid waste handling" in item 1 of the second paragraph. This may be misleading. Does ABAG claim a responsibility for solid waste management in general, or only for solid waste disposal?

The words "disposing of solid waste" in the first paragraph will be changed to "solid waste management." Item 1 in the second paragraph refers to problems associated with "handling," i.e., transportation storage, disposal. ABAG's responsibilities include planning to address the 4 issues discussed on pages V-11 through V-13.

Page II-4, para. 2. Some mention should be made of potential reduced costs provided by combined solid waste/wastewater treatment sludge processing and energy recovery compared to building separate facilities for each. This topic deserves significantly more attention in this plan to provide complete coverage of significant alternative solutions to the environmental problems addressed.

The Wastewater Solids Study findings do not support this conclusion.

Page II-4, para. 3. The reference to 15.5 million tons of solid waste generated in 1990 is misleading. Waste streams in the Bay Area do not all converge in landfills, nor will they all be available or suitable for source separation or energy recovery.

The phrase "all types of solid waste" will be added to the statement to avoid the confusion.

Individual Comment

ABAG Staff Response

State Solid Waste Management Board, cont'd:

Page II-9, last para. This discussion lead the reader to understand that as a result of the EMP continuing planning process, local government will assume new responsibilities in solid waste management. This is untrue. The State Legislature and State Solid Waste Management Board have already assigned primary responsibility for solid waste management and planning to local entities.

This discussion refers to the entire EMP. No new responsibilities in solid waste management are contained in the plan.

Page II-8, Continuing Planning and New Legislation.
Bay Area Solid Waste Management Project (BASWMP)
Phase I recommendations should be included in this list.

Many of the BASWMP Phase I recommendations are reflected in the draft solid waste plan-Chapter V.

Page II-21. Recommendations on energy recovery should be added to this table, including co-disposal in the water quality and solid waste categories.

If the wastewater management agencies select co-disposal projects, those projects would be included in the item of "existing municipal sewerage facility construction program."

CHAPTER V, SOLID WASTE MANAGEMENT

Page V-1, para. 1. The plan points out that the basic "problem" is that we are burying our wastes instead of conserving them. This is certainly a matter of interpretation. One could just as easily maintain that the basic problem in the Bay Area is the lack of nearby inexpensive landfills which are environmentally satisfactory.

We maintain the basic problem is that we are burying our wastes instead of conserving them.

Page V-1, last para. The plan neglects to include recommended actions for the creation of solid waste to energy projects.

Plan includes recommendation, under Policy 3, for securing information necessary for creation of solid waste to energy projects.

Page V-4. SB 1395 should be added to discuss.

A discussion of SB1395 as a potential fund-source for waste-to-energy projects will be added. Bay Area projects receiving such funds are noted on page V-6.

Individual/Comment

ABAG Staff Response

State Solid Waste Management Board, cont'd:

Page V-5, first para. Discussion of legal mandates should include detailed analysis of the interrelationship between the requirements of Section 208, the Resource Conservation and Recovery Act (RCRA) and SB 424 (1977). It is unclear how the plan satisfies the somewhat different requirements of these separate mandates. This plan must show that it satisfies the legal requirements of RCRA if it is to be adopted as part of the state plan.

A statement will be added clarifying how the plan satisfies the various legal requirements.

Page V-5, second para. It is indicated that the nine county solid waste management plans include detailed implementation programs to 1980. The EMP should also acknowledge that these plans have been prepared to show local programs to the year 2000.

A statement will be added.

Page V-5, third para. The findings, conclusions and recommendations of the BASWMP Phase I study were adopted by the State Solid Waste Management Board. This plan should include these recommendations in order to provide consistency with state programs.

Many of the BASWMP Phase I recommendations are reflected in the policies and recommended actions.

Page V-9, environmental effects. This discussion is one-sided. The beneficial impacts of improved solid waste management programs over the past decade should be included as well. Local governments and private industry have joined together in greatly reducing adverse impacts from their operations and should be credited.

Credit is given on page II-4. It can be mentioned again here.

Pages V-11 through V-13. Discussion of the four major "regional problems" identified in the county solid waste management plans does not show any new and essential role for ABAG. As a regional approach, this plan should avoid duplicating the efforts of the county plans and concentrate on needed additional work.

This is a discussion of the "four major regional problems." The regional approach and ABAG's role is contained in the Policies and Actions on pages V-34 through V-67. Actions to be carried out by ABAG to address these regional issues will be identified clearly in the revised tables.

Individual Comment

ABAG Staff Response

State Solid Waste Management Board, cont'd:

Page V-14, Table 2. It is unclear how the "regional problems" shown in Table 2 were identified. Are these identified in the county plans as regional issues, or are they just commonly shared problems that local governments can address? A common problem, such as improper waste storage, is not a "regional" problem if the addition of another layer of authority offers no significant benefit towards its solution. This discussion should also differentiate between gross cost (capital) and net cost (after revenues).

Page V-17, Policy 1. This is inconsistent with Government Code Section 66730, which assigns the primary responsibility for adequate solid waste management and planning to local government.

Pages V-18 through V-20, Table 5.

Alameda County. It is stated that 11 disposal sites exist in Alameda County. Our assessment of Bay Area landfills indicates only 7 sites are presently operating (San Leandro Marina Disposal Site closed during 1977, and Altamont has not yet opened). Of the 7 existing sites: Davis Street, Alameda NAS will close in 1979, Fremont will close in 1981, and Alameda City will close in 1982. This means only four sites will remain in the short-term period (consider short-term - 1982).

Contra Costa County. Under the heading "Disposal Sites" the environmental problems and permitting problems being experienced with the proposed expansion of the West Contra Costa Disposal Site should be noted.

Title of Table 2 will be changed to "Solid Waste Problems in the Region." The problems include those identified in the county plans as regional issues, as well as commonly shared problems that local governments and other agencies can address. "Improper waste storage," which is listed under Hazardous Wastes, is a regional issue addressed in the plan.

and planning will be added to the policy. However, the State guidelines define solid waste management to include planning activities.

A notation will be added to the Table indicating that this information is from the County Plans -- base year 1975. The information will be corrected in the annual plan update process.

"

Individual/Comment

ABAG Staff Response

State Solid Waste Management Board, cont'd:

Napa County. The statement that 2 of the sites have capacity for the long-term is questionable. The American Canyon Landfill is also experiencing permitting problems with its proposed expansion.

"

Santa Clara County. Our Bay Area Landfill Assessment found only 13 sites in operation. The San Martin Site has close and Nine Par is temporarily closed.

"

As a general comment we find Table 5 to be outdated. It does not adequately reflect the present disposal site situation in the Bay Area. We suggest the information generated in the Bay Area Solid Waste Management Project, Landfill Assessment be used to update this table.

"

Page V-21, Policy 3. Resource conservation and recovery projects must also be consistent with approved county solid waste management plans. The county plans are the legal foundation of waste management planning in the State.

This policy will be rewritten to read:
"The regional solid waste management plan should focus on multi-jurisdictional projects for waste reduction, and recovery of materials and energy from solid waste. Descriptions of the supporting actions will also be modified accordingly.

Page V-21, Policies 5 and 7. These policies are vague and non-specific. Early discussion of project related issues already takes place during the environmental impact review. What are the "coordination procedures" referenced here? Permitting of solid waste facilities is not identified in the county plans as a regional problem

See responses to comments under Policies 5 to 7.

Figure 2. The Bay Area Landfill Assessment Study does not indicate the waste management system to be the same as that shown. We suggest the system as shown in the BASWMP Landfill Assessment be used.

Wording will be added to the figure to indicate Base Year 1975. The figure will be changed in the annual plan update process.

Page V-25, first para. This discussion should indicate that the State (DOH) has received \$40,000 of BASWMP Phase II funds for hazardous waste inventories in the eight remaining Bay Area counties.

This will be done.

Individual/Comment

ABAG Staff Comment

State Solid Waste Management Board, cont'd:

Page V-27, Table 6. Sludge management guidelines being developed by the State Department of Health have not yet been issued but may be expected, for most practical purposes, to eliminate the application of sludge to agricultural lands. These regulations may significantly impact sludge management alternatives in the Bay Area and should at least be mentioned. Additionally, the process alternatives identified do not clearly indicate consideration of potential sludge/solid waste combustion for energy recovery. The EMP falls short of addressing a truly coordinated approach to problems of both solid waste and sludge management by down-playing this alternative.

The wastewater management agencies are fully aware of the impact of the pending state regulations. Sludge management alternatives will be selected by the wastewater agencies in February, 1978 with this uncertainty in mind. The Wastewater Solids Study did not find the co-disposal alternative to be attractive. Therefore, the Solid Waste Management Plan does not re-examine this alternative.

Page V-30, last para. The second option (not included) discussed would involve a composite of the county plans and implementation programs through 2000, and is dismissed for numerous reasons. SB 424 obviously precludes such an approach, as it requires that ABAG address only those issues which local government identified as regional. The county plans then, are not a small piece of the big picture. The regional plan should be a series of separate pieces which when linked to the county plans improves overall planning. The regional planning required by SB 424 does not preempt existing local solid waste management planning authority.

Arguments presented in this comment will be incorporated into the plan as justifications for rejecting the second option.

* * * * *

Sonoma County Environmental Center:

The following wording should be added to the listing on page V-1 and V-17:

Support research and demonstration of existing and new community source separation recycling centers and environmental education programs.

The listing will be modified to reflect the proposed changes.

The figures on page V-7 are outdated.

Base year for data in plan is 1975. Figures will be revised in annual plan update process.

Solid Waste Policies and Actions

SW Policy 1: The regional solid waste management plan should primarily be based on the county solid waste management plans, and primary responsibility for adequate solid waste management shall rest with local governments.

Individual/Comment

ABAG Staff Response

San Mateo County Council of Mayors

Accept Policy 1 and Actions 1.1, 1.2, and 1.3.

No response needed

Santa Clara County Solid Waste Management Program - TAC

Modify Policy 1. Delete the word "Regional" and add "Coordinated by the State Solid Waste Management Board."

Policy 1 merely reflects existing state law (SB 424) which requires "the regional plan shall be based primarily on county solid waste management plans."

Section 66780 of SB 5 requires that each solid waste management plan should be submitted for review and comment to the regional planning agency for the region..."

Modify Actions 1.1 to 1.3. Formal review should be a function of the State Solid Waste Management Board; any ABAG review would be a courtesy action.

In addition, Resolution 76-38 of the SSWMB specifies that "in areas where the 208 designated agencies determine need for or require a change in the county solid waste management plan activities, that these changes be accomplished through amendments to the county plan in accordance with Section 66780 of the Government Code." The intent of Action 1.3 is to review the updated county plans to ensure consistency with the regional solid waste management plan and the Environmental Management Plan. Description of Action 1.3 can be revised to clarify this intent.

SW Policy 1 (continued)

Individual/Comment

Bay Area Recycling and Solid Waste Environmental Activists

Policy 1: Mention of any specific resource recovery/landfill diversion goals is absent, and should be inserted, based upon an ABAG staff estimate of regional potential derived from knowledge of current recycling, source separation, waste reduction, and mixed-waste processing techniques. Mention of enforcement mechanisms available to State Solid Waste Management Board and to its designated county enforcement agencies is absent. Cost of \$215 million for landfill systems should be revised to reflect plan re-orientation we have advocated above.

ADD: Action 1.4 ABAG staff will monitor and evaluate developing technology and refined solid waste generation and composition estimates and furnish this information to counties for revision of their county solid waste management plans (CoSWMP's), as well as reflecting such developments in periodic revision for regional EMP.

Contra Costa County Planning Department

Accept Policy 1. The Policy is appropriate, as are the calls for carrying out and updating the County Solid Waste Management Plans expressed in the Supporting Actions.

ABAG Staff Response

We agree that resource recovery/landfill diversion goals should be added. However, such goals should be included as one of the objectives in page V-3 and not under Policy 1.

Under the column headed "Measures to Ensure Implementation," for Action 1.1, it is stated that SSWMB may take legal action if plans are not implemented.

Cost of \$215 million is not just for landfill systems. The county plans also include some resource recovery programs.

The proposed action is included in Action 2.1.

No response needed.

SW Policy 1 (continued)

Individual/Comment

Contra Costa County Planning Department
(continued)

Action 1.1 should be revised to delete the phrase "as part of the regional solid waste management plan" because the County Solid Waste Management Plans are independently mandated by State law and their implementation is not contingent on their inclusion in the EMP. In addition, the deletion would help ensure that the Actions are interpreted in a manner consistent with the Policy. Also, reference to Actions 8.1 to 8.5 should be deleted since they should stand on their own merits.

Santa Clara County Board of Supervisors

Support Policy and Actions 1.1 to 1.3

City of Cupertino

Policy 1. ABAG's role should be minimized so as to meet Federal requirements of the EMP and to avoid duplication of the responsibilities of the SSWMB. The roles of the two agencies need to be more clearly defined to ensure that proper implementation, planning and coordination is carried out by the appropriate agency.

San Mateo County Board of Supervisors

Accept Policy 1 and Actions 1.1 - 1.3.
Comment - The County plans are independently mandated by State law and implementation should not be contingent upon a regional solid waste management plan.

ABAG Staff Response

Action 1.1. is so stated since the regional plan includes a composite of the county plans, to be implemented by the counties.

Reference to Actions 8.1, 8.4 and 8.5 of the Water Quality Management Plan is made since these actions may be part of county solid waste management plans.

No response needed.

Policy 1 recognizes the role of local governments and ABAG as required by existing state laws. The roles of ABAG and the SSWMB will be further clarified through the EMP approval process.

No response needed.

SW Policy 1 (continued)

Individual/Comment

State Solid Waste Management Board

Policy 1. The primary responsibility for solid waste management planning also rests with local government.

Action 1.1. The cost of implementing this and every succeeding recommendation is insufficiently detailed to allow a meaningful interpretation.

Action 1.3. Review (and approval) of updated county solid waste management plans is a function of the State Solid Waste Management Board.

ABAG Staff Response

The words "and planning" will be added to Policy 1. However, according to the State Solid Waste Management Board regulations (Title 14, Division 7, Section 17225.70, May 3, 1975), the term "solid waste management" does include planning functions.

An explanation of the direct cost of carrying out the recommended Actions is included in page 11-20. Further documentation on the cost estimates is available upon request.

For comment of Action 1.3, see response to Santa Clara County Solid Waste Management Program - TAC.

Solid Waste Policies and Actions

SW Policy 2: Regional solid waste management planning should be coordinated with State and local planning and be an integrated part of areawide environmental management planning.

Individual/Comment

San Mateo County Council of Mayors

Accept Policy 2 and Action 2.1
Santa Clara County TAC

Change Policy 2 to read: Solid Waste Management Planning should be coordinated by the State Solid Waste Management Board as an integral part of Statewide Environmental management planning.

The Implementating agency should be the State Board instead of ABAG under Action 2.1.

Contra Costa County Board of Supervisors

Revise Policy 2 to reads: "Solid Waste Management Planning should be coordinated by the State Solid Waste Management Board as an Integral Part of Areawide Environmental Management Planning" and bring the supporting text into conformity with that change.

ABAG Staff Response

No response needed

There are a number of existing federal and state laws that recognize the need for regional solid waste management planning. SB 5 requires the county plans to be "consistent with state policy and appropriate regional or subregional solid waste management plan..."

SB 424 requires ABAG to update the regional plan. Section 208 of the Federal Water Pollution Control Act Amendments of 1972 requires the control of residuals on a regionwide basis. The Resource Conservation and Recovery Act of 1976 also calls for regional planning. Therefore, Policy 2 should not be modified.

See above.

SW Policy 2 (continued)

Individual/Comment

Contra Costa County Board of Supervisors
(continued)

In an effort to focus solid waste planning efforts and to simplify the organizational structure for solid waste continuing planning, the state created the State Solid Waste Management Board and mandated county-level solid waste management agencies. For this reason, support should be given to modifying this Policy and its implementing proposals to reflect the recommendations of the Santa Clara County Planning Policy Committee (an official city-county organization) to reinforce existing state and county agencies' roles.

Santa Clara County Board of Supervisors

Support Policy 2 and Action 2.1

San Mateo County Board of Supervisors

Accept Policy 2.

State Solid Waste Management Board

Action 2.1. The regional solid waste management plan should be updated to provide consistency with updated county solid waste management plans approved by the State Solid Waste Management Board.

ABAG Staff Response

See previous page .

No response needed.

No response needed.

The description of Action 2.1 states that the regional plan will be updated to incorporate results of ongoing planning activities of other state, regional and local agencies.

Solid Waste Policies and Actions

SW Policy 3: Regional or subregional resource conservation and recovery programs should be consistent with the regional solid waste management plan, and should focus on multi-jurisdictional projects for waste reduction and recovery of materials and energy from solid waste.

Individual/Comment

ABAG Staff Response

San Mateo County Council of Mayors:

Accept Policy 3 and Actions 3.1 and 3.2.

No response needed.

Santa Clara County Solid Waste Management Program TAC:

Under Policy 3, delete the words "regional or sub-regional" from the beginning of this sentence; delete "the regional" from the second line and substitute "State" in their place; change "Plan" to "Planning" in the third line.

The words "regional or sub-regional" are included in Policy 3, so that local resource conservation and recovery programs would be excluded from this Policy.

The implementing agency should be the SSWMB under Action 3.1.

SSWMB is not the only agency with review authority under Action 3.1.

The implementing agency should be the SSWMB instead of ABAG under Action 3.2.

EPA, SSWMB in conjunction with cities, counties, and ABAG should be the responsible agency for Action 3.2.

* * * * *

Bay Area Recycling and Solid Waste Environmental Activists:

Policy 3. Make more explicit in terms of landfill diversion techniques: "...should focus on multi-jurisdictional projects for waste-reduction source reduction, source separation, recycling, marketing, and mixed-waste processing recovery of materials and energy from solid waste."

Policy 3 as stated would include projects for source reduction, source separation, recycling, marketing. See also response to League of Women Voters of the Bay Area on following page.

Individual/Comment

ABAG Staff Response

Bay Area Recycling and Solid Waste Environmental Activists:

Policy 3. Make more explicit in terms of landfill diversion techniques: "...should focus on multi-jurisdictional projects for source reduction, source separation, recycling, marketing, and mixed-waste processing recovery of materials and energy from solid waste."

Policy 3 as stated would include projects for source reduction, source separation, recycling, marketing. See also response to League of Women Voters of the Bay Area below.

Revise: Action 3.2. We find the \$996,000 per year, \$11,300,000 total cost to "develop additional information" to be an exorbitant sum for data collection, and a potential "engineers and planners full employment and recycling bill." We suggest an annual expenditure of at most \$100,000 per year of public monies from Senate Bill 650, Section 68046 of the Government Code, freeing \$896,000 annually, or \$9,100,000 from a 22-year program, for direct implementation of environmental goals, especially in revised Actions 8.2, 10.3 (new) and 12.2.

Major source of funding for Action 3.2 would not be from SB650 (Section 68046 of the Government Code), but from federal grants and state general funds. Projects could be feasibility studies, or demonstration projects involving capital expenditures.

* * * * *

League of Women Voters - Bay Area:

Replace "and should focus on multi-jurisdictional projects for waste reduction and recovery of materials and energy from solid waste" by "and should develop information leading to decisions as to the optimum size for projects for waste reduction and the recovery of materials and energy from solid waste." We would like to add "Action 3.3. Cost benefit analysis (including landfill credit) of resource recovery activities.

Policy 3 can be modified to read: "The regional solid waste management plan should focus on multi-jurisdictional projects for waste reduction and recovery of materials and energy from solid waste." The general description of Action 3.2 can be modified to read: "Develop the following information needed for resource recovery planning through studies and demonstration projects, such as:

- o Air quality, water quality and other environmental effects of large scale energy recovery systems.

Individual/Comment

League of Women Voters - Bay Area, cont'd.

* * * * *

San Leandro Manufacturers' Assn:

Policy 3. Resource recovery from solid waste should be strengthened. This is a major key to solving our current dilemma of disposing of our solid waste. The plan should support resource recovery, energy producing projects which will help to offset the increasingly costly land fill requirements. Current plans allocate only .7% of the total three quarter billion dollars projected SWMP. At least 105 could be profitably employed.

* * * * *

Contra Costa County Planning Department:

Revise Policy 3 to read: Resource conservation and recovery programs should be consistent with the county solid waste management plans and the Environmental Management Plan for waste reduction and recovery of materials and energy from solid waste. Bring the supporting text into conformity with that change.

It is not necessary for resource conservation and recovery programs to "focus on multi-jurisdictional projects for waste reductions."

ABAG Staff Comment

- o Technical feasibility as well as financial and social impacts of resource recovery projects.
- o Size and location of potential markets for the resources that are to be recovered.
- o Costs and energy requirements for source separated and mechanically separated materials.

The plan is proposing a balanced approach to solid waste management. Energy recovery is only one of the many strategies available to us.

Regional planning efforts are to be focused on multi-jurisdictional projects for waste reduction and recovery of materials and energy from solid waste. The CCCSD project, as part of Contra Costa County Solid Waste Management Plan, would be part of the proposed EMP and consistent with it. See also response to League of Women Voters of the Bay Area.

Individual/Comment

ABAG Staff Response

Contra Costa County Planning Dept., cont'd:

Individual jurisdictions can, in many cases, accomplish these more efficiently than aggregations of districts. An example is the energy recovery program scheduled for completion by the Central Contra Costa Sanitary District. That local district is undertaking this major effort unassisted and in conformity with the County Solid Waste Management Plan. As Policy 3 is now worded the District's project could be interpreted as being contrary to the proposed EMP. Further analysis of the relationship of resource conservation and recovery programs to the regional plan will be made after the full EMP is available.

* * * * *

Santa Clara County Board of Supervisors:

Support Action 3.2 with modification. The following words should be added to the end of the proposed action: "...including information regarding potential marketability of recovered materials." Before major resource recovery projects are undertaken, there is a need for additional information regarding the size and location of potential markets for the resources that are to be recovered.

* * * * *

City of Cupertino:

Information on the potential marketability of recovered material is needed.

The issue of markets is being addressed in Policies 10 and 11 and their supporting actions. However, Action 3.2 can be modified to reflect the suggested changes. See response to the League of Women Voters.

Actions 10.1 and 10.2 would develop such information. See also response to Santa Clara County Board of Supervisors.

Individual/Comment

ABAG Staff Response

Oakland Chamber of Commerce:

Recommend this be revised to be better coordinated with the State Solid Waste Management Board's effort to encourage large-scale, capital-intensive resource recovery projects.

Policy 2 calls for planning coordination.

* * * * *

San Mateo County Board of Supervisors:

Accept Policy 3 and related Actions.

No response needed.

* * * * *

State Solid Waste Management Board:

Policy 3. Regional or subregional resource conservation and recovery programs must also be consistent with the county solid waste management plans. The reference to multi-jurisdictional projects would seem to exclude support of single agency projects and should be deleted, since resource conservation and recovery should be encouraged wherever feasible.

Single agency projects, consistent with county plans, are incorporated into the regional plan. Since regional and subregional resource recovery projects would be proposed by local governments it is assumed that they would be consistent with county plans--or counties would amend their plans accordingly.

Action 3.2. Availability of funds from RCRA, SB 1395 and SB 650 cannot be determined at this time.

See also response to League of Women Voters of the Bay Area.

Solid Waste Policies and Actions

Policy 4: All solid waste disposal sites must be situated, designed and operated to provide protection to the surface and ground water quality and the natural environment, as well as protection of public health and safety.

Individual/Comment

San Mateo County Council of Mayors

Accept Policy 4 and Actions 4.1 and 4.2.

Santa Clara County Solid Waste Management Program - TAC

Policy 4 and its Actions are already being implemented. The Policy statement should be changed by adding the word "Reasonable" between the words "Provide" and "Protection."

Support Actions 4.1 and 4.2.

Bay Area Recycling and Solid Waste Environmental Activists

Policy 4. REVISE: "All solid waste disposal sites must be situated, designed, and operated and eventually closed down to provide protection to the surface and ground water quality and the natural environment as well as protection of public health and safety."

ABAG Staff Response

No response needed

Policy 4 is not being implemented fully. However, Actions 4.1 and 4.2 will ensure timely implementation of the policy. The word "reasonable" should not be added to the policy statements, since the word is too vague. In fact, Waste Discharge Requirements issued by the RWQCB have specific provisions for the protection of surface and ground water quality.

No response needed.

The phrase "eventually closed down in a proper manner" can be added to Policy 4.

SW Policy 4 (continued)

Individual/Comment

Bay Area Recycling and Solid Waste
Environmental Activists (continued)

REVISE: Action 4.2. "Issue and enforce permits for operation and eventual closing down for all solid waste disposal and facilities sites." Annual combined public and private costs of \$2,100,000 may be unreasonably low, in view of 1976 closing costs (preliminary) of \$1,800,000 for just two Eastbay landfills. Regional Water Quality Control Board, in July 1977, set closure standards which may further increase this cost; their staff should review this figure.

Contra Costa County Planning Department

Accept Policy 4. This Policy is appropriate, as are its supporting Actions.

Santa Clara County Board of Supervisors

Support 4.1 with modification. Insert the word "reasonable" between the words "provide" and "protection." Support Actions 4.1 and 4.2.

San Mateo County Board of Supervisors

Accept Policy 4 and related Actions.

ABAG Staff Response

Existing state regulations require that methods used to close a site shall comply with waste discharge requirements established by the RWQCB. Action 4.1 calls for the adoption and updating of such requirements. Therefore, the proposal action is not necessary.

No response needed

See response above to Santa Clara County Solid Waste Program - TAC.

No response needed.

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Solid Waste Policies and Actions

SW Policy 5: Where possible, incorporate methods into the existing permit process for solid waste management facilities that will make the process more efficient and convenient and that will facilitate early discussion of project-related issues.

Individual/Comment

ABAG Staff Response

San Mateo County Council of Mayors:

Accept Policy 5. Modify Action 5.1 to read, "continue present efforts in each County and in the Bay Area to improve the permit process under guidance from State Solid Waste Management Board." Delete ABAG in "implementation."

ABAG recognizes that efforts are already underway to improve the permit process. In permitting for solid waste management sites and facilities, ABAG's role would be primarily information gathering and distribution, and coordination of specific applications, where requested. In addition, ABAG has an understanding of Bay Area solid waste problems and other related environmental and comprehensive planning concerns, and will be able to assist when requested. The level of effort called for in this Action is quite small with a potential benefit for all involved.

Accept Action 5.2. Delete ABAG in implementation of Action 5.3.

See response above.

* * * * *

Bay Area Recycling and Solid Waste Environmental Activists:

Policy 5. Excellent formulation, if understood to imply full discussion of alternatives: to landfill and cost-benefit comparisons of various resource recovery techniques (sporadically required by State Solid Waste Management Board of CoSWMP's).

The EIR requirements ensure that issues and project alternatives be raised. Actual content of meetings and participants will be at the discretion of the initiating agency or individual. There could be more than one meeting, however, to discuss an application.

Individual/Comment

ABAG Staff Response

Bay Area Recycling and Solid Waste Environmental Activists (continued)

REVISE: Action 5.3 "Hold meetings prior to the public hearings in order to discuss potential issues and project alternatives."
General Description: REVISE: "...Depend-
~~ing-on-the-project,-one-of-the-following~~
~~may-be-appropriate:~~
1.-~~Discussion-among-staff-only~~
2.-~~Same,-except-applicant-included~~
3. Meeting ~~could~~ shall include staff,
applicant, public and decision-makers."

(See staff comments for this agency on preceding page)

* * * * *

Santa Clara County Solid Waste Management Program TAC:

For Policy 5, strike the words "facilitate early discussion of project-related issues" and replace with "reduce the number of agencies involved where possible to make the present process more efficient."

Without legislation it would be impossible to reduce the number of permitting agencies.

For Actions 5.1 and 5.3, the implementing agency should be the SSWMB instead of ABAG.

See also responses above

Support Action 5.2.

No response needed.

* * * * *

Santa Clara County Planning Policy Committee:

Policies 5,6, and 7 of the Plan speak to the need to streamline the process for approval of solid waste disposal sites -- an objectives the

See response above

Individual/Comment

Santa Clara County Planning Policy Committee
(continued)

PPC supports. The PPC questions, however whether the interjection of ABAG into the process will result in streamlining the process or instead will have the opposite effect by adding yet another agency to the process.

As a consequence, the PPC believes that the reference to ABAG in Action 5.3 concerning holding meetings prior to public hearings should be deleted.

* * * * *

Contra Costa County Planning Department:

The Policy is acceptable as a statement of good practice, but its three supporting Actions could result in superfluous effort and do not reflect the existing implementing practices of the agencies involved in solid waste facility application processing.

Although Action 5.1 has a modest estimated annual budget of \$1,100 cost, it is proposed to be funded from ABAG dues; but it could be accomplished through routine agency practices. It would appear much simpler to request all solid waste regulatory agencies to forward any changes in their guidelines and applications forms directly to the solid waste staffs of the several County Solid Waste Management Agencies as well as ABAG. To a large degree, this already occurs and the ABAG process would

ABAG Staff Response

See response above

See responses above. Also, it should be noted that the cost figure is split among the nine county solid waste management agencies and ABAG. The level of effort and staff time involved is very small with potential benefits to applicants and involved agencies.

SW Policy 5 (continued)

Individual/Comment

Contra Costa County Planning Department
(continued)

duplicate existing standard practice (especially on permit requirements). Direct contact between the state and regional regulatory agencies and the agencies at the county level would be strengthened by referring these matters to counties.

Regarding Action 5.2, this already occurs and doesn't need to be stated. County solid waste management staff is thoroughly involved in all phases of new applications, including advising applicants on procedures and requirements.

Action 5.3 is already customary practice in the review of applications, including those for solid waste facilities. Clarification of the lead agency to undertake this Action is desirable.

Recommended changes:

Delete the General Description under Action 5.1 (Page V-40) and replace it with: "All changes in permit requirements by an agency shall be automatically forwarded to all other agencies with solid waste responsibility and to ABAG," and amend supporting text accordingly.

Delete Action 5.2.

Modify the General Description of Action 5.3 to read, "County Solid Waste Management staff should continue their efforts to meet with the regulatory agency staffs, and other staffs as

ABAG Staff Response

For comments on Actions 5.2 and 5.3, ABAG has not found this to be true in all counties. Where it is, the action would simply support existing local activities.

Staff concurs that all agencies with solid waste responsibilities should automatically receive regulatory changes.

Staff concurs that efforts already underway should continue. Wording will be changed to recognize existing efforts. The Action suggests meetings and early discussion where it is not now being routinely done.

Individual/Comment

ABAG Staff Response

Gontra Costa County Planning Department
(continued)

appropriate, for discussion of project-related problems and for exchange of information..." and, amend supporting text accordingly.

* * * * *

Santa Clara County Board of Supervisors:

Policies 5,6, and 7 of the Plan speak to the need to streamline the process for approval of solid waste disposal sites -- an objective the Board supports. The Board questions, however, whether the interjection of ABAG into the pocesss will result in streamlining the process, or instead will have the opposite effect by adding yet another agency to the process.

Support Policy 5 with modification. Delete the words "facilitate early discussion of project-related issues" and replace them with "reduce the number of agencies involved where possible to make the present process more efficient."

Support Actions 5.1 to 5.3. The reference to ABAG in Action 5.3 concerning holding meetings prior to public hearings should be deleted. Although in some instances there may be some benefit to having ABAG staff present at pre-hearing meetings, it should be made clear that approval of this action does not authorize ABAG to become involved in the local review process for all proposed disposal sites.

* * * * *

See responses to San Mateo Council of Mayors and Santa Clara Solid Waste Technical Advisory Committee.

SW Policy 5 (continued)

Individual/Comment

San Mateo County Board of Supervisors:

Accepts Policy 5 and Action 5.2. Modify Actions 5.1 and 5.3 as follows: continue present efforts in each County and in the Bay Area to improve the permit process under guidance from State Solid Waste Management Board. Delete ABAG in "implementation."

* * * * *

State Solid Waste Management Board:

Policies 5 through 7, all Actions. The State Solid Waste Management Board, as the responsible agency for solid waste management throughout the State, can coordinate these actions at no extra cost to local government. References to ABAG's involvement in coordinating solid waste facility permitting should be deleted.

ABAG Staff Response

See responses to San Mateo County Council of Mayors and Santa Clara Solid Waste Technical Advisory Committee.

Staff acknowledges the State Board's responsibility in solid waste management. See response above to San Mateo Council of Mayors and Santa Clara Solid Waste Technical Advisory Committee to clarify ABAG's role. ABAG's major responsibility relates to integration of large-scale facilities with air and water quality aspects of the EMP. The process will become more important when these resource recovery projects are proposed - they are industrial facilities subject to BAAPCD and RWQCB permits for operation as well as location; they must be consistent with the air and water quality provisions of EMP.

Solid Waste Policies and Actions

SW Policy 6: Agencies existing regulations, including time limits for review and comment, should be integrated with other coordination projects in the future, as appropriate.

Individual/Comment

ABAG Staff Response

San Mateo County Council of Mayors:

Accept Policy 6 and Actions 6.1 and 6.2.

No response needed.

* * * * *

Santa Clara County Solid Waste Management
Technical Advisory Committee:

Delete Policy 6. Actions called for in this statement are properly a part of Policy 5. Delete the Policy statement, re-number the Actions as a function of Policy 5 and incorporate them there.

This policy and associated actions would be implemented by the individual agencies, separate from coordination suggested in Policy 5. The two Policies have different objectives and should remain separate.

Under Actions 6.1 and 6.2, the implementing agency should be the SSWMB instead of ABAG, and all actions should be incorporated into Policy 5, above.

* * * * *

Contra Costa County Planning Department:

Accept Policy 6 and supporting actions.

Revise the descriptive material on page V-42 to indicate recognition of present agency practices and support for their continuation and reinforcement.

Staff concurs that present efforts should be recognized and supported.

* * * * *

SW Policy 6 (continued)

Individual/Comment

Santa Clara County Board of Supervisors:

The actions called for in Policy 6 are directly related to Policy 5. Policy Statement No. 6 should be deleted. Support Actions 6.1 and 6.2 but should be renumbered as Actions 5.4 and 5.5.

* * * * *

San Mateo County Board of Supervisors:

Accepts Policy 6 and related Actions.

* * * * *

State Solid Waste Management Board:

Policy 6 and related Actions. Delete reference to ABAG's involvement.

* * * * *

ABAG Staff Response

See responses to Santa Clara Solid Waste Technical Advisory Committee.

No response needed.

There is currently no reference to ABAG involvement in this Policy. No change needed.

Solid Waste Policies and Actions

SW Policy 7: Permit coordination procedures for solid waste management activities should be integrated with other coordination projects in the future, as appropriate

Individual/Comment

ABAG Staff Response

San Mateo County Council of Mayors:

Delete Policy 7 and Actions 7.1 and 7.2. Local enforcement agencies will work with State on Solid Waste.

* * * * *

This Policy and related Actions are aimed at the broader issues of permit streamlining for all types of development activities. These activities would ensure that coordinating for solid waste activities would not duplicate other such efforts. They will become more important as large scale waste-to-energy projects--which are industrial facilities--are proposed.

Bay Area Recycling and Solid Waste Environmental Activists:

We are worried that Action 7.2 might weaken existing permit requirements of a substantive nature, impair (suggested) EMP goal achievement, and quick-freeze public participation. Fragmentation of solid waste planning, not procedural rigidities, causes both permit review delays and incomplete consideration of environmentally-preferable alternatives. We feel that these deficiencies could in large measure be corrected by our suggested revision of Action 5.3.

* * * * *

The Action is not intended to suggest a less stringent enforcement of environmental standards or less opportunity for public involvement.

Santa Clara County Solid Waste Management Program Technical Advisory Committee:

Delete Policy 7. This entire statement should be deleted. Coordination should be more or less automatic under Policy 5, above.

See response to San Mateo County Council of Mayors.

Delete Actions 7.1 and 7.2.

* * * * *

SW Policy 7 (continued)

Individual/Comment

Santa Clara County Planning Policy Committee
and Santa Clara County Board of Supervisors:

Policy 7 and Actions 7.1 and 7.2 should be deleted. Policy 7 is a very vaguely worded policy which, if adopted as written, could be interpreted as a blank check for ABAG to involve itself in trying to streamline any other approval process it felt was cumbersome.

* * * * *

Contra Costa County Planning Department:

The meaning of Policy 7 is obscure. The "other coordination projects" are not defined. Delete "with other coordination projects, and substitute "with other agency permit procedures."

Under Action 7.1, delete JPA under "Legal Authority," and change the implementing agency from ABAG to the County and State Solid Waste Management Agencies.

In 1977, AB 844 was passed which places severe time restrictions on local governments and other permit agencies in terms of the approval process. There is no objection to ABAG maintaining contact with state and local agencies on matters of sharing experiences but advocacy on legislation is best left up to agencies with working experience in these problems and the burdens of meeting state deadlines. They will do this in any case.

ABAG Staff Response

Policy 7

See response to San Mateo County Council of Mayors.

Staff concurs that "other coordination projects" is unclear. General descriptions statements will be clarified.

The intent is to exchange experiences with other agencies involved in permit coordination, not specifically concerned with solid waste facilities (e.g. Office of Planning and Research, Resources Agency). ABAG, through established contacts, could continue this activity.

Advocacy of county solid waste agencies can be strengthened through Council of Government's support of legislative proposals.

Individual/Comment

ABAG Staff Response

Contra Costa County Planning Department
(continued).

Delete Action 7.1. The agencies affected by this program, the county solid waste agencies, will provide their own advocacy.

(See response for this agency on previous page)

* * * * *

San Mateo County Board of Supervisors:

Delete Policy 7 and Actions. Unnecessary. Local enforcement agencies will work with State Board on solid waste.

See response to San Mateo Council of Mayors.

* * * * *

State Solid Waste Management Board:

Policy 7 and related Actions. Delete reference to ABAG's involvement.

See response to San Mateo Council of Mayors.

Solid Waste Policies and Actions

SW Policy 8: Public education programs are essential to promote awareness of need for waste reduction.

Individual/Comment

ABAG Staff Response

Policy Action

San Mateo County Council of Mayors:

Accept Policy 8 and Action 8.1. Delete everything in parenthesis under Actions 8.2 and 8.3.

* * * * *

The cross reference is necessary to indicate the relationship of the solid waste management plan and the other management plans.

Santa Clara County Solid Waste Management Program TAC:

Under Policy 8, add the words "Local, State and Federal: to the beginning of the Policy statement.

We agree that the words "Federal, state and local" should be added to the beginning of the policy statement.

Support Action 8.1.

No response needed.

Under Action 8.2, the implementing agency should be the SSWMB instead of ABAG.

Both ABAG and SSWMB should be involved.

Eliminate Action 8.3. This type of program is not considered to be cost-effective.

We disagree strongly. Cost-effectiveness should not be a major criterion for public education programs. EPA guidelines for RCRA require extensive public education participation.

* * * * *

Bay Area Recycling and Solid Waste Environmental Activists:

Policy 8. "Public Education programs are essential to promote awareness of feasibility and need for waste reduction programs."

COMMENT: Laudable, and almost totally overlooked by previous plans. If anything, we feel funding in this area should be increased several-fold, to perhaps \$100,000 yearly. REVISE: Action 8.2 "Provide public information packets and multi-media programs on waste reduction..."

We agree with the wording changes for Policy 8 and Action 8.2. We will further investigate the possibility of increasing the funding level.

* * * * *

Individual/Comment

ABAG Staff Response

San Leandro Manufacturers' Association:

The combination of Policy #8 and #14 produce an information/education plan that begins to meet the need. At approximately \$11,000 per month, it is more in line with reality than the water quality plan at \$1,700 per month and the water supply plan at \$400 per month.

No response needed.

* * * * *

League of Women Voters of the Bay Area:

This policy on education is of central importance. The funds allotted for this task seem inadequate.

We will investigate the possibility of increasing the funding level.

* * * * *

Santa Clara County Board of Supervisors:

Support Policy 8 and Actions 8.1 to 8.3.

No response needed.

* * * * *

Contra Costa County Planning Department:

Revise Policy 8 to read: Public education programs are desirable to promote awareness for waste reduction.

We feel that public education programs are absolutely essential. This view is shared by many others.

The Policy and its supporting Actions are generally acceptable, but really not vital to the EMP. The public will act to bring about reductions in the generation of solid waste when motivated by substantive governmental and industry actions such as those making the recycling of waste materials more

See also response to the Santa Clara County Solid Waste Management Program TAC above.

Individual/Comment

ABAG Staff Response

Contra Costa County Planning Department
(continued):

economical. Classes and information packets by themselves are likely to accomplish little.

(See staff response to this agency on previous page).

Actions 8.2 and 8.3 are redundant with Action 8.1, and unnecessary.

In consideration of the limited amount of public funds available for solid waste programs this proposal should be considered a low priority item, not "essential" to waste reduction.

* * * * *

San Mateo County Board of Supervisors:

Accepts Policy 8 and Action 8.1. Modify Actions 8.2 and 8.3: Delete everything in parenthesis. Could be reworded to include public-education tasks in the surface runoff plans.

This cross reference is necessary to indicate the relationship of the solid waste management plan and the other management plans.

* * * * *

State Solid Waste Management Board:

Actions 8.1 and 8.2. SB 650 funds are not specified for the promotion of waste reduction only recycling, resource recovery and litter management.

Section 69048 of SB 650 can be interpreted to promote waste reduction.

Solid Waste Policies and Actions

SW Policy 9: Federal and State governments should adopt legislative and administrative changes that promote waste reduction.

Individual/Comment

ABAG Staff Response

San Mateo County Council of Mayors:

Accept Policy 9 and Action 9.1.

No response needed.

* * * * *

Santa Clara County Solid Waste Management Program TAC:

Support Policy 9 and Action 9.1.

No response needed.

* * * * *

Bay Area Recycling and Solid Waste Environmental Activists:

Policy 9. REVISE: "Federal, State, and local governments should adopt legislative and administrative changes which promote waste reduction and recycling." Action 9.1. REVISE: Measures to Ensure Implementation to: "Analyze regional employment, energy, consumer, resource conservation and other social and economic impacts of changes in packaging manufacturing standards and regulations, and recommend appropriate local legislation to achieve plan objectives. ADD to Implementing (Agencies): "ABAG (Regional Study and Recommendations)." ADD to Total Cost/Yr. AND Portion Directly Attributable: "\$60,000 (one-year study)."

The words "and local" will be added to Policy 9. Policies 10, 11 and 12 address the issue of "recycling". Therefore, the word is not needed for Policy 9.

The proposal study could be part of ABAG's work program in the future, but should not be part of Action 9.1.

Individual/Comment

Santa Clara County Planning Policy Committee:

Action 9.2 should be added to the Plan which states: "Seek legislation which would mandate recycling through a deposit bottle program throughout the State of California.

* * * * *

San Leandro Manufacturers' Association:

While I subscribe to Policy #9, Promotion of Waste reduction by State and Federal Government, Section #9.1 should be deleted for the reason that government at any level should not be involved in the determination of how to package industrial and commercial goods in the market place.

* * * * *

Contra Costa County Planning Department:

Accept Policy 9 and Action 9.1. This Policy and its implementing Action are appropriate in that they recognize that changes in manufacturing and marketing practices affect the state and national economics and need to be addressed at those levels. It is not mentioned in the description and may not have to be because it is generally understood that industry, business, labor, and consumer groups need to be involved in making the kinds of changes that are proposed in this Policy. However, consideration could be given to combining Policies 9 and 11 to simplify the EMP.

* * * * *

ABAG Staff Response

Action 9.1 would include the proposed Action. Wording changes can be made to clarify Action 9.1.

State and Federal legislation have already recognized the need for changes. For example RCRA requires the Resource Conservation Committee to study the feasibility of restricting the manufacture or use of categories of consumer products as a resource conservation strategy.

Policies 9 and 11 have different emphasis, and should be stated separately.

SW Policy 9 (continued)

Individual/Comment

ABAG Staff Response

Santa Clara County Board of Supervisors:

Support Policy 9 and Action 9.1. Action 9.2 should be added to the Plan which states: "Seek legislation which would mandate recycling through a deposit bottle program throughout the State of California."

See response to Santa Clara County Planning Policy Committee above.

* * * * *

City of Cupertino:

A "Bottle Bill" similar to that of Oregon should be considered in any changes in manufacturing standards.

See response above

* * * * *

Oakland Chamber of Commerce:

Recommend clarification: It is our understanding that this statement does not mean endorsement of a specific approach to achieving the over-all policy, but is broad enough to include an evaluation of a variety of techniques that are currently being reviewed on the national and state levels. In this light we would recommend to not include a specific legislative or regulatory action such as second item listed above, "prohibit manufacture of certain products such as disposable containers."

Potential specific legislative or regulatory actions are included in the description of Action 9.1, to clarify the intent of the Action.

* * * * *

San Mateo County Board of Supervisors:

Accepts Policy 9 and related Actions.

No response needed.

Solid Waste Policies and Actions

Policy 10: Regionwide cooperation is needed to develop stable, adequate markets for secondary materials.

Individual/Comment

ABAG Staff Response

San Mateo County County of Mayors

Accept Policy 10 and Actions 10.1 and 10.2.

No response needed

Santa Clara County Solid Waste Management Program - TAC

Eliminate Policy 10 and Actions 10.1 and 10.2. Regional cooperation does not guarantee adequate nor stable markets; supply and demand will prevail.

We felt that regional cooperation in fact will improve the market situation for secondary materials.

Bay Area Recycling and Solid Waste Environmental Activists.

Policy 10. "Facilitate regionwide cooperation in developing stable, adequate markets for secondary materials." COMMENT: We wholeheartedly support this recommendation.

Description of Action 10.2 can be modified to include the proposed action.

ADD: Action 10.3. Establish a regional switchboard for information on recycling of residential, commercial and industrial wastes, utilizing the telephone number 800-732-9253 (RECYCLE), if possible. Total Cost/Yr.: \$20,000.

Contra Costa County Planning Department

Amend Policy 10 to read "Facilitate State-wide Cooperation In Developing Stable, Adequate Markets for Secondary Materials."

Many of the Bay Area recyclers believe that regional cooperation will definitely improve the market situation and that ABAG can provide the forum for coordination.

SW Policy 10 (continued)

Individual/Comment

Contra Costa County Planning Department
(continued)

Amend the implementing agency both Actions 10.1 and 10.2 from ABAG to the State Solid Waste Management Board and bring supporting text into conformity with these changes. (Since these changes would place emphasis on State action, consider combining it with Policy 8). The State Solid Waste Management Board has a legislative mandate to undertake this work; ABAG action would duplicate this effort.

The concept of developing stable, adequate markets is very important to making recycling materials economically successful, but it is questionable if much can be accomplished at the regional level since industries operate and market their products over much larger areas. The state can perform the proposed tasks through its Solid Waste Management Board at a larger scale and with better financial resources.

Santa Clara County Board of Supervisors

Support Policy 10 and Actions 10.1 and 10.2.

ABAG Staff Response

There is a recognized regional market. The Contra Costa County Solid Waste Management Plan includes a short-range objective of "Coordinate intercounty cooperation for the recovery and marketing of materials in the San Francisco Bay Area. ABAG will continue to work closely with the State. SSWMB will be added as the responsible agency under Actions 10.1 and 10.2.

No response needed

SW Policy 10 (continued)

Individual/Comment

San Mateo County Board of Supervisors

Accepts Policy 10 and related Actions.

State Solid Waste Management Board

Action 10.1 and 10.2. These activities are currently being coordinated by the State Solid Waste Management Board. Delete ABAG to avoid unnecessary duplication.

ABAG Staff Response

No response needed

Actions 10.1 and 10.2 should be implemented as a co-operative effort of ABAG and the SSWMB. Therefore the SSWMB will be added as another implementing agency.

Solid Waste Policies and Actions

Policy 11: Federal and State governments should adopt legislative and administrative changes to improve competitive positions of secondary materials and products containing secondary materials.

Individual/Comment

ABAG Staff Response

San Mateo County Council of Mayors

Accept Policy 11 and Actions 11.1 and 11.2.

No response needed.

Santa Clara County Solid Waste Management Program - TAC

Under Policy 11, replace the word "changes" with the word "incentives."

The word "changes" is more appropriate, since such changes may include disincentives for not using secondary materials.

Under Actions 11.1 and 11.2. The implementing agency for this policy and these actions should be the SSWMB instead of ABAG.

Under Action 11.1, U.S. Congress and Federal Administration are listed as implementing agencies, not ABAG.

Under Action 11.2, ABAG, regional agencies, and local governments are listed as implementing agencies. Existing state law has already required state agencies, including the SSWMB, to adopt preferential purchasing policies.

League of Women Voters of the Bay Area

We applaud the inclusion of this policy in the Plan, which advocates legislative and administrative changes at state and federal levels to improve the competitive position of secondary materials.

No response needed.

Bay Area Recycling and Solid Waste Environmental Activists

Policy 11. REVISE: "Federal, State, and local governments should adopt legislative and administrative changes to improve competitive positions of secondary materials and products containing secondary materials..."

Policy 11 and its supporting actions can be modified to reflect the proposed wording changes.

Individual/Comment

ABAG Staff Response

Bay Area Recycling and Solid Waste
Environmental Activists (continued)

REVISE: Action 11.1. "Change existing Federal, State and local laws and regulations...
General Description: "Change existing Federal, State and local... Reform Interstate Commerce Commission and California Public Utilities Commission's rate structure.

See response above.

ADD to Action 11.2, General Description, specific steel products, motor oil, paving materials, home insulation." COMMENT AB 1404 (Gage), concerning recycled office paper, and SB 68 (Smith), recycled motor oil, were both signed into law at the conclusion of the 1977 legislative session; some county purchasing agents are less than enthusiastic in follow-up. Implementation Measure: ABAG and local government legislative advocacy.

See response above.

City of Brisbane

Congress change ICC rules to stimulate resource recovery.

Action 11.1 would include all necessary changes in existing laws and regulations.

Contra Costa County Planning Department

Replace the word "changes" with "incentives," under Policy 11.

See response to Santa Clara County Solid Waste Management Program TAC.

SW Policy 11 (continued)

Individual/Comment

Contra Costa County Planning Department
(continued)

Under Action 11.1, add "and promote waste reduction." As noted in the comment for Policy 10, markets for recovered materials must be developed if re-cycled is to be made economically viable, and the matter is best handled at the state and federal levels. The concept if further supported in the Contra Costa County Solid Waste Management Plan.

Delete Action 11.2. This Action appears to be extraneous because it proposes with region-local implementation and the state is increasingly giving direction on the subject. It is noted that Sections 14784.1 19786 of the Government Code already require state and local governments to purchase re-cycled paper in some cases.

Santa Clara County Board of Supervisors

Support Policy 11 with modification. Replace the word "changes" with the word "incentives." Support Actions 11.1 and 11.2

San Mateo County Board of Supervisors

Accept Policy 11 and related Actions.

ABAG Staff Response

Policy Action

Waste reduction is covered under Policy 9 and should not be repeated under Policy 11.

See response to Santa Clara County Solid Waste Management Program TAC.

See response to Santa Clara County Solid Waste Management Program TAC.

No response needed.

SW Policy 11 (continued)

State Solid Waste Management Board

Individual/Comment

Actions 11.1. The economic impacts of this action are understood. Major changes would result in substantial costs of private industry.

Action 11.2. Responsibility for development of preferential purchasing policies lies with State and local governments. The resulting impacts on the cost of goods should be indicated.

ABAG Staff Response

It is stated in the economic impacts column of Action 11.1 that there would be possible costs of shifting from use of virgin to use secondary materials.

The resulting impacts on the cost of goods are indicated as indirect impact. Regional agencies such as ABAG, MTC, BAAPCD, RWQCB, BCDC, Coastal Commission care also and adopt such policies.

Solid Waste Policies and Actions

SW Policy 12: All levels of governments should encourage development of source separation programs.

Individual/Comment

ABAG Staff Response

San Mateo County Council of Mayors:

Accept Policy 12 and Action 12.3. Delete everything in parenthesis under Actions 12.1, 12.2 and 12.4.

The cross reference is necessary to indicate the relationship of the solid waste management plan and the other management plans.

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Santa Clara County Solid Waste Management Program TAC:

Change Policy 12 to read: All levels of government should continue to encourage development of source separation programs where it is economically feasible and where markets for recovered materials are available. The policy is acceptable only so long as it does not entail any mandatory legislation.

This policy does not entail any mandatory legislation. Economic feasibility is dependent upon available markets. Policies 10 and 11 are aimed at ensuring markets. No change in policy wording is necessary.

Support Action 12.2. The implementing agency should be the SSWMB instead of ABAG under Actions 12.1 and 12.3. For Action 12.3, add the words "where economically feasible" to the end of this statement. The implementing agency should be SSWMB instead of ABAG.

Both SSWMB and ABAG have a role in the implementation of Action 12.1. Implementation of Actions 12.1 is the responsibility of local governments and all the regional agencies.

* * * * *

Bay Area Recycling and Solid Waste Environmental Activists:

Policy 12. "All levels of governments should encourage development of source separation programs." COMMENT: Excellent recommendation, deserving of an expansion of projected funding

Description of 12.2 can be modified to reflect the proposed wording changes.

Individual/Comment

ABAG Staff Response

Bay Area Recycling and Solid Waste Environmental Activists (continued):

(by diversion from Action 3.2) and fuller statement of favorable employment, land use and consumer impacts. REVISE: Action 12.2: "Provide seed money, by grant or low-interest loan program, to start up neighborhood, community-based or city-wide source-separation, curbside-pickup programs, plan new centers, establish them, and promote public participation through diverse local media outlets. Both capital and wages should be eligible for subsidies." Total Cost/Yr. and Portion Directly Attributable: Increase to \$800,000 per year. Economic Impacts: Employment - Potential regional increase of 1,000-3,000 jobs from region-wide source separation/curbside pickup program based on neighborhood recycling centers. Potential Additional payroll: \$10-30 million per year (\$5 hourly wage). Consumer Expenditures: Direct reduction through diversion from remote landfill, \$5-10 million per year (2.5-5% of cost of Action 1.1, traditional landfilling, \$215 million per year, \$3-\$6/residential household per year).

The total estimated cost for Action 12.2 is \$3,000,000 to be spent during the period from 1978 to 1982. The average expenditure will be about \$750,000/year during that period. This amount is, in fact, about the same as the proposed amount of \$800,000/year.

We will reevaluate the impact assessment of Action 12.2.

* * * * *

City of Brisbane:

Provide incentives for source separation of solid waste.

Action 12.1 would provide certain incentives to local governments to establish source separation through federal or state funding.

* * * * *

Individual/Comment

ABAG Staff Response

Page 1 of 1

Contra Costa County Planning Department:

Accept Policy 12 and Actions 12.1 to 12.4. This Policy is appropriate and its supporting Actions are already being implemented.

No response needed.

* * * * *

Santa Clara County Board of Supervisors:

Support Policy 12 with modification. Amend policy to read: "All levels of government should continue to encourage development of source separation programs where it is economically feasible and where markets for recovered materials are available." Implementation of this policy should be left to the discretion of local agencies.

See response to Santa Clara County Solid Waste Management Program TAC.

Support Actions 12.1 and 12.4. Support Action 12.3 with modification. Add "where economically feasible" to end of statement.

See Above.

* * * * *

City of Cupertino:

Modify - There is too much emphasis on separation at the source without enough backup information on whether or not it is the most efficient method in terms of energy conservation and economic costs. Other methods may be more efficient and should be explored.

The plan is proposing a balanced approach to solid waste management. See revised Policy 3 and its supporting actions.

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Individual/Comment

ABAG Staff Response

San Mateo County Board of Supervisors:

Accepts Policy 12 and Action 12.3. Modify Actions 12.1, 12.2, and 12.3. Delete portion in parenthesis, or make specific reference to the description of County runoff plans provided under Policy 8 in the Water Quality Plan.

See response to San Mateo County Council of Mayors.

State Solid Waste Management Board:

Policy 12. This policy should be expanded to indicate encouragement of source separation programs where reasonable markets are available.

See response to Santa Clara County Solid Waste Management Program TAC.

Actions 12.1 and 12.3. ABAG should not be shown as an implementing agency in order to avoid duplication of ongoing State Solid Waste Management Board program activities.

Implementation of 12.1 should be a cooperative effort between ABAG and the SSWMB. Local governments and all regional agencies, including ABAG are the responsible agencies for Action 12.3.

Action 12.2. The State Legislation has provided funds for this purpose through SB 650. The State Solid Waste Management Board should be shown as the implementing agency.

Only the Federal and State Legislatures have the authority to appropriate funds. SSWMB can be shown as the administering agency.

Solid Waste Policies and Actions

SW Policy 13: Adequate planning for hazardous waste management requires accurate data.

Individual/Comment

ABAG Staff Response

San Mateo County Council of Mayors:

Accept Policy 13 and Action 13.2.

No response necessary

Delete Action 13.1 because unnecessary. Continue present study authorized by State Solid Waste Management Board and conducted by the State Department of Health.

This action is one of several in the plan which reaffirms an existing program. It also places that program in the context of an integrated environmental management plan. Additional funding is provided.

Modify Action 13.2. Other studies would be determined by local Solid Waste enforcement agencies in consultation with State Solid Waste Management Board and State Health.

Such a survey is needed.

Delete ABAG in implementation and add State Solid Waste Management Board.

The State Solid Waste Management Board will be added. However, ABAG, through its Emergency Medical Services Program, has some information on hospitals that should be helpful.

* * * * *

Santa Clara County Solid Waste Management Program TAC

For Policy 13, replace the entire Policy statement with the sentence "Develop and Implement a Hazardous Waste Management Plan."

This plan has been developed and is contained in policies 13-16.

Policies 13, 14 and 15 should be combined and organized into a single, logical sequence, beginning with the development of an adequate hazardous waste management plan, and as an integral part of the State planning and implementation program. All actions should be modified accordingly.

Policies 13-16 are meant to be in a logical sequence.

* * * * *

Individual/Comment

ABAG Staff Response

Santa Clara County Planning Policy Committee:

Planning for disposal of hazardous wastes should involve more than simply examining the overall capacity of existing sites. It should also consider whether existing sites are located in reasonable proximity to hazardous waste sources. Action 13.3 should be amended to reflect this concern.

* * * * *

City of Brisbane:

Fund inventory of Class I materials to see if someone wants them.

* * * * *

Contra Costa County Planning Department:

This is not an informative policy statement as it is written. Revise the Policy statement to read: "Gather Best Available Data for Hazardous Waste Management."

Amend the scheduled date for Action 13.1 from "April, 1978" to "to be negotiated".

Amend the measures to ensure implementation for Actions 13.1, 13.2 and 13.3 by deleting the existing wording and substituting "Agreements to be negotiated between state agencies and the County Solid Waste Management agencies."

* * * * *

The plan assumes that any site in the Bay Area is in reasonable proximity to generators. This assumption seems valid considering the location of existing sites, the need for special environmental conditions, and the relatively minor costs of transporting these wastes vs. treatment and disposal. Transfer stations close to hazardous waste generators are needed, but do not have the potential for adverse environmental and social impacts if operators are properly regulated.

Results of the surveys under Action 13.1 can be used by the State Department of Health for a waste exchange program (see Action 14.3).

This rewording is an action, not a policy statement.

Date will be changed to 1979.

We concur. This suggestion seems appropriate.

SW Policy 13 (continued)

Individual/Comment

ABAG Staff Response

Bay Area Recycling and Solid Waste Environmental Activists:

Policies concerning hazardous waste management are acceptable; they summarize the requirements of AB 1593 (Lockyer).

No response needed.

* * * * *

Santa Clara County Board of Supervisors:

Support Policy 13 with modification. Replace the entire policy with the following: "Develop and implement a hazardous waste management plan." In addition, Policies 14 and 15, together with their related actions, should be combined under the revised Policy 13.

See response to a similar comment made by the Santa Clara County Solid Waste Management Program TAC.

Support Actions 13.1 to 13.3. Planning for disposal of hazardous wastes involves not just examination of the capacity of existing sites, but also whether existing sites are located in reasonable proximity to waste sources. Action 13.3 should be amended to reflect this concern.

See response to a similar comment made by the Santa Clara County Planning Policy Committee.

* * * * *

San Mateo County Board of Supervisors:

Accepts Policy 13 and Action 13.3.

No response needed.

Delete Actions 13.1 and 13.2 because unnecessary. Continue present study authorized by State Solid Waste Management Board as conducted by the State Department of Health.

See response to similar comments made by the San Mateo County Council of Mayors.

Individual/Comment

ABAG Staff Response

San Mateo County Board of Supervisors (continued):

Other studies would be determined by local Solid Waste enforcement agencies in consultation with State Solid Waste Management Board and State Health. Delete ABAG in implementation and add State Solid Waste Management Board.

See response to similar comments made by the San Mateo County Council of Mayors.

* * * * *

State Solid Waste Management Board:

Actions 13.1 and 13.2. The State Department of Health is the implementing agency.

Similar surveys have been conducted by counties with assistance from the State Department of Health.

Action 13.3. Add the State Solid Waste Management Board as an implementing agency along with the State Department of Health.

We concur. The determination should be made in conjunction with the State Solid Waste Management Board, as well as State Health, RWQCB, ABAG, and the counties.

* * * * *

League of Women Voters of the Bay Area:

We find these policies, concerning hazardous wastes, particularly well thought through and complete.

No response needed.

Solid Waste Policies and Actions

SW Policy 14: Waste reduction, source separation, and recovery of hazardous industrial wastes should be promoted in the interest of limiting land disposal.

Individual/Comment

ABAG Staff Response

San Mateo County Council of Mayors:

Accept Policy 14 and Actions 14.1, 14.2, 14.3, and 14.4.

No response needed.

* * * * *

Santa Clara County Solid Waste Management Program
TAC:

Eliminate Policy 14.

See response to recommendation by this agency under Policy 13.

* * * * *

Contra Costa County Planning Department:

Accept Policy 14.

No response needed.

Amend the Implementing Agencies for Actions 14.1, 14.2, 14.3, and 14.4 to read, "County Solid Waste Management agencies, state agencies, including State Department of Health, State Solid Waste Management Agency or the Regional Water Quality Control Board as appropriate," and bring the supporting text into conformity with that change.

Such a change would make the precise implementing agencies obscure. The change would be inappropriate for Action 14.3. The County Solid Waste Management agencies may be added as implementing agencies to Actions 14.1, 14.2, and 14.4.

* * * * *

Santa Clara County Board of Supervisors:

Support Policy 14 and Actions 14.1 to 14.4.

No response needed.

* * * * *

Individual/Comment

ABAG Staff Response

San Mateo County Board of Supervisors:

Accept Policy 14 and related Actions.

No response needed.

* * * * *

State Solid Waste Management Board:

Actions 14.1 through 14.4. The State Department of Health should be shown as the implementing agency, with potential contractual arrangements with ABAG.

ABAG has a role in planning and coordination of such a program. (See Policy 10.)

* * * * *

Bay Area Recycling and Solid Waste Environmental Activists:

Policies concerning hazardous waste management are acceptable; they summarize the requirements of AB 1593 (Lockyer).

No response needed.

* * * * *

League of Women Voters of the Bay Area:

We find the policies, concerning hazardous wastes particularly well thought through and complete.

No response needed.

Solid Waste Policies and Actions

SW Policy 15: Regulations should ensure safe and proper handling of hazardous wastes.

Individual/Comment

ABAG Staff Response

San Mateo County Council of Mayors:

Accept Policy 15 and Actions 15.1, 15.2, 15.4, 15.6, and 15.7.

No response needed.

Modify Action 15.5; assign responsibility to State Health Departments and local health department as it now is.

We concur.

Change "enforcement" to read enforce under Action 15.3.

We concur.

* * * * *

Santa Clara County Solid Waste Management Program TAC:

Eliminate Policy 15.

See response to recommendation by this agency under Policy 13.

* * * * *

Santa Clara County Planning Policy Committee:

Policy 15 in the draft Plan states that regulations should ensure safe and proper handling of hazardous wastes. An important element of safe handling of hazardous wastes involves their safe transport from source to disposal or recovery site. This aspect of the hazardous waste problem is not addressed in the draft Plan. An additional statement is needed to reflect this concern. Action 15.4 speaks only to procedures to be employed after a spill occurs. There should be at least as much attention given to preventing spills before they occur, particularly inasmuch as hazardous materials are routinely being transported on busy highways and through urban areas.

"Handling" is defined in RCRA and other State regulations to include transportation.

Action 15.1 specifically mentions transportation. Action 15.2 will be modified to state: "Require that containers used for onsite storage, for transport and for disposal..."

* * * * *

Individual/Comment

Contra Costa County Planning Department:

Accept Policy 15. Accept Actions 15.1, 15.2, 15.3, 15.5, and 15.7.

Delete Action 15.4.

Amend Action 15.6 to include County Solid Waste Management Agencies to the section on Implementation Agencies and delete reference to ABAG negotiating a contract under measures to ensure implementation.

* * * * *

Citizens for a Better Environment:

Add another Action under Policy 15 proposing a program to catalogue all hazardous wastes generated by industry according to the type, amount, and location of origin. ABAG should then implement a permit system whereby each company responsible for creating a hazardous waste must demonstrate its ability to properly dispose of it before receiving an operating license.

* * * * *

Santa Clara Board of Supervisors:

Support Policy 15 with modification. An important element of safe handling of hazardous wastes involves their safe transport from source to disposal or recovery site. An additional action statement is needed to

ABAG Staff Response

No response needed.

This Action is needed; see concerns of the Santa Clara County Planning Policy Committee and Board of Supervisors.

"Local agency" was meant to refer to the county Solid Waste Management Agencies. The terms may be changed. ABAG will be negotiating an agreement with the State Agencies for this and other actions. ABAG will not implement this action.

The cataloguing is covered in Action 13.1. The permit system suggested is not needed if the actions under Policy 15 are implemented.

See response to a similar comment made by the Santa Clara County Planning Policy Committee.

Individual/Comment

ABAG Staff Response

Santa Clara County Board of Supervisors
(continued):

reflect this concern. Action 15.4 speaks only to procedures to be employed after a spill has occurred. There should be at least as much attention given to preventing spills before they occur, particularly inasmuch as hazardous materials are routinely being transported on busy highways and through urban areas.

Support Actions 15.1 to 15.7.

No response needed.

* * * * *

City of Cupertino:

Handling of hazardous wastes should include a statement on transporting as well as a preventive mechanism to avoid spills.

See response to a similar comment made by the Santa Clara County Planning Department.

* * * * *

San Mateo County Board of Supervisors:

Accept Policy 15 and Actions 15.1, 15.2, 15.4, 15.6, 15.7.

No response needed.

Modify 15.3: change "enforcement" to read enforce.

We concur.

Modify 15.5; assign responsibility to State Health Departments and local health department as it now is.

We concur.

* * * * *

Individual/Comment

ABAG Staff Response

Bay Area Recycling and Solid Waste Environmental
Activists:

Policies concerning hazardous waste management
are acceptable; they summarize the requirements
of AB 1593 (Lockyer).

No response needed.

* * * * *

League of Women Voters of the Bay Area:

We find these policies, concerning hazardous
wastes, particularly well thought through and
complete.

No response needed.

Solid Waste Policies and Actions

SW Policy 16: Future Class I disposal sites and facilities should be located so that they do not have adverse effects on human health and safety, air and water quality, wildlife, critical environmental resources and urbanized areas.

Individual/Comment

ABAG Staff Response

Contra Costa County Planning Department:

This Policy is appropriate; recommend acceptance.

No response needed.

Implementation of Action 16.1 is appropriate, assigned to local authorities; recommend acceptance.

No response needed.

* * * * *

San Mateo County Council of Mayors:

Accept Policy 16. Modify Action 16.1 to add ABAG to implementation as coordinator.

We concur.

* * * * *

Santa Clara County Solid Waste Management Program TAC:

For Policy 16, the original policy statement is far too verbose; change it to read: "Future Class I Disposal Sites and Facilities Should be Located in a Manner to Minimize Adverse Impacts on the Environment."

To limit the policy to the environment would ignore human health and safety.

Under Action 16.1, the implementing agency should be the SSWMB.

Implementation should be handled by local governments. Land use decisions are a local decision.

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Individual/Comment

ABAG Staff Response

League of Women Voters of the Bay Area:

We find these policies, concerning hazardous wastes particularly well thought through and complete.

No response needed.

* * * * *

Santa Clara County Board of Supervisors:

Support Policy 16 with modification. Replace with the following: "Future Class I disposal sites and facilities should be located in a manner to minimize adverse impacts on the environment." Support Action 16.1.

See response to similar comment from the Santa Clara County Solid Waste Management Program TAC.

* * * * *

State Solid Waste Management Board:

Action 16.1. The State Solid Waste Management Board and State Department of Health should be added as implementing agencies.

Implementation should be handled by local government. Land use decisions are a local decision.

* * * * *

San Mateo County Board of Supervisors:

Accept Policy 16. Modify Action 16.1; add ABAG to implementation as coordinator.

We concur.

* * * * *

Bay Area Recycling and Solid Waste Environmental Activists:

Policies concerning hazardous waste management are acceptable; they summarize the requirements of AB 1593 (Lockyer).

No response needed.

* * * * *

Solid Waste Policies and Actions

Policy 17: A regional plan for long-term wastewater solids management should be prepared and updated.

Individual/Comment

ABAG Staff Response

San Mateo County Council of Mayors:

Accept Policy 17 and Action 17.1.

Modify Action 17.2 to add, "Regional Water Quality Control Board" to Implementation.

ABAG is required by state law (SB424) to update the regional solid waste plan. The wastewater solids plan will be incorporated into the regional solid waste plan. Therefore, ABAG, instead of the RWQCB, should implement Action 17.2.

* * * * *

Santa Clara County Solid Waste Management Program Technical Advisory Committee:

Change Policy 17 to read: "Develop and implement a long-term wastewater solids management plan." The more straight-forward statement leaves no room for doubt as to its meaning.

Modify Actions 17.1 and 17.2. The implementing agencies should be the State Water Resources Control Board and the SSWMB. Policies 17 and 18 should be combined and organized into a single, logical sequence beginning with development of an adequate Wastewater Solids Management Plan.

State law (SB424) requires ABAG to prepare a regional solid waste management plan to address issues identified in the county solid waste management plans. Wastewater solids management is one of the identified issues. Policy 17 and its supporting actions delineate the planning responsibility of ABAG and the San Francisco Bay Region Wastewater Solids Study. Policy 18 and its supporting actions delineate the responsibility for facilities planning (Step 1), design (Step 2), and construction (Step 3), as well as the review responsibility of various agencies. EPA, SWRCB and SSWMB will ensure implementation of Action 17.2.

* * * * *

Contra Costa County Planning Department:

Substitute Policy 17 with the following:

"Facilities for wastewater solids management should be managed or developed in conformance with the county solid waste management plans for the solid waste aspect of those facilities."

Change recommended actions.

County solid waste management plans at present do not have the necessary details to guide the development of facilities for wastewater solids management. The proposed policy does not accurately reflect the findings of the Wastewater Solids Study.

Solid Waste Policies and Actions

Policy 17: A regional plan for long-term wastewater solids management should be prepared and updated.

Individual/Comment

Contra Costa County Planning Department, cont'd:

The wastewater solids portion of the EMP should conform to the latest findings of the San Francisco Bay Region Wastewater Solids Study which show regional solutions not to be cost-effective or desirable. Since the findings of that study focus on local agency solutions, and Senate Bill 424 restricts the regional plan from including aspects of solid waste handling that are primary responsibilities of local governments, this section of the plan should be shortened and modified. The relationship of the plan findings to the 201 water quality project list should be reviewed to ensure that the 201 project list allows for local agency sludge process funding, since a regional solution has now been determined not to be appropriate to the sludge problem. Further, the wastewater solids process should be integrated with other solid waste programs and not carried as a separate plan.

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Bay Area Recycling and Solid Waste Environmental Activists:

Policies concerning sludge from sewage treatment are acceptable. They summarize the work of the Regional Wastewater Solids Study.

* * * * *

League of Women Voters - Bay Area:

We find these policies, concerning wastewater solids, particularly well thought through and complete.

ABAG Staff Response

The study findings indicate that the best apparent solution for wastewater solids management would involve a mixture of disposal and use methods on a subregional area basis, as well as on a local basis. It appears that such findings have been misinterpreted by the staff of the Contra Costa County Planning Department.

No response needed.

No response needed.

Solid Waste Policies and Actions

Policy 17: A regional plan for long-term wastewater solids management should be prepared and updated.

Individual/Comment

ABAG Staff Response

Santa Clara County Board of Supervisors:

Support Policy 17 with modification.

See response to Santa Clara County Solid Waste Management Program TAC.

Replace with the following: "Develop and implement a long-term wastewater solids management plan."

Support Actions 17.1 and 17.2.

* * * * *

San Mateo County Board of Supervisors:

Accept Policy 17 and related Actions.

See response to San Mateo County Council of Mayors.

Modify Action 17.2: add Regional Water Quality Control Board to Implementation.

* * * * *

State Solid Waste Management Board:

Action 17.1. Potential marketing of sludge must be viewed with some pessimism, due to health regulations and/or lack of known long-term markets.

No response needed.

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Policy 18: Facilities for wastewater solids management should be constructed in conformance with the regional wastewater solids plan and the Environmental Management Plan (208 plan).

San Mateo County Council of Mayors:

Accept Policy 18 and Actions 18.1 to 18.4.

No response needed.

* * * * *

Policy 17 Facilities for wastewater solids management should be constructed in conformance with the regional wastewater solids plan and the Environmental Management Plan (208 plan).

Individual/Comment

ABAG Staff Response

Santa Clara County Solid Waste Management TAC:

Eliminate Policy 18. The concept is included in revised Policy 17. All actions under this Policy should be re-numbered and added to Policy 17.

See response to comments on Policy 17.

Actions 18.1 to 18.4 should be included under Policy 17.

* * * * *

Contra Costa County Planning Department:

Delete Policy 18 and Actions 18.1 to 18.4.

See response to comments on Policy 17.

* * * * *

Santa Clara County Board of Supervisors:

Policy 18 should be deleted, since it would be included within the revised Policy 17. Support Actions 18.1 to 18.4. Actions 18.1 through 18.4 should be re-numbered as Actions 17.3 through 17.6.

See response to comments on Policy 17.

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San Mateo County Board of Supervisors:

Accept Policy 18 and related Actions.

No response needed.

* * * * *

State Solid Waste Management Board:

Action 18.1. Facilities planning for wastewater solids management should be incorporated into the county solid waste management planning programs.

Wastewater management agencies have the primary responsibility for facilities planning, design and construction. These activities should not be carried out by the county solid waste management agencies. However, wastewater facilities plans can be incorporated into the county solid waste management plans.

Solid Waste Policies and Actions

Policy 18: Facilities for wastewater solids management should be constructed in conformance with the regional wastewater solids plan and the Environmental Management Plan (208 plan).

Individual/Comment

ABAG Staff Response

State Solid Waste Management Board, cont'd:

Actions 18.2 through 18.4. Again, these activities should be incorporated into the county planning programs. The assessments of potential agricultural and energy impacts are misleading. Overall energy requirements could be reduced through the utilization of wastewater residuals for energy recovery.

The Wastewater Solids Study found that the energy that can be obtained from combustion of digested and dewatered sludge is about equal to the energy from fossil fuel that is used to dry and combust the sludge.

SOLID WASTE PLAN COMMENTS

February 16, 1978 to
March 8, 1978

Solid Waste Policies and Actions - Comments Not Specific to Policies or Actions

Individual/Comment

ABAG Staff Response

Association of Bay Area Recycling Groups and Environmentalists (ABARGE)

No response needed.

ABARGE strongly endorses the EMP's regional solid waste plan. Our January 11th comments criticized it for over-emphasis on landfill and energy recovery to the neglect and possible detriment of recycling, questioned its lack of quantified goals or favorable job impacts from waste reduction, source separation/recycling, and mixed waste processing to divert resources (and consumer dollars) from landfill, and made specific recommendations of better ways of spending the estimated \$907,000 per year which are directly attributable to the plan.

Since then, the plan has been attacked by opponents who question the need for regional solid waste planning or who wish to bury it with weakening amendments or non-meritorious studies. Our comments in this letter concern the necessity of regional planning to achieve solutions to the major environmental problems of solid waste management: resource depletion, excessive energy consumption, poor land use and job creation potential by excessive reliance on landfill, and air and water pollution. The usefulness of the plan recommendations can be set forth under four main points:

- o Fulfilling State and Federal statutory requirements for needed funding
- o Information clearinghouse for Bay Area citizens and government officials
- o Research and legislative advocacy
- o Identification and analysis of emerging regional resource recovery alternatives.

In conclusion, regional solid waste planning--which is, in essence, cooperative data-gathering, jointly-funded analy-

Solid Waste Policies and Actions - Comments Not Specific to Policies or Actions

Individual/Comment

ABAG Staff Response

ses, and coordinated public and private sector actions-- can enable the Bay Area's local governments to achieve realistic resource conservation and waste reduction goals which have positive social, economic, and environmental impacts.

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City of Berkeley Solid Waste Management Commission

We are pleased that, although the regional solid waste plan is built upon the firm base of the various county plans, the regional plan goes further and emphasizes resource recovery and waste reduction. We feel, however, that the commitment to resource recovery and waste reduction is not strong enough. These highly important goals are particularly suited to a regional approach. Development of markets for secondary materials, and advocacy of improvement in the competitive position of secondary materials in the market, are examples of needs which can benefit from regional action. We would like to see waste reduction and resource recovery assigned an importance equal to that of the individual county plans.

Secondly, no mention is made of goals to be met in waste reduction and resource recovery. Certainly the goals mandated by the State Solid Waste Management Board should be included here.

Thirdly, so long as the County Solid Waste Management Authorities and the State Board issue permits, we are concerned about the growth of a third permitting authority at the regional level. We agree with the stated conditions which are to be met before a permit is issued, and we agree with the streamlining and clarification of the process. We wish to be certain, however, that the process does result in a simplification, and not a proliferation, of bureaus involved.

The draft plan has considerable emphasis on resource recovery and waste reduction. It also includes specific recommended actions on development of markets for secondary materials.

Staff will suggest to EMTF addition of a goal of 25% reduction of wastes to landfills by 1980.

ABAG is not proposing a permit-issuing authority at the regional level. See also responses to comments on Policies 5, 6, and 7.

Solid Waste Policies and Actions - Comments Not Specific to Policies or Actions

Individual/Comment

ABAG Staff Response

San Francisco Tomorrow

The goal should be to reduce the amount of solid waste to be disposed of. For purposes of emphasis the policies dealing with source separation and recycling should be put at the top. These are solutions and partial solutions which can become part of local and regional plans. Source separation and recycling should be equally emphasized, as well as collection dealing with various kinds of recyclable waste. All collection does not need to be done by one carrier.

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Association of Environmental Professionals

In our judgment, the EMP proposals in the Solid Waste Management Plan rest on a technically sound base. In particular, we agree with the concepts of ABAG coordination of collection of information on hazardous waste and on landfill permit requirements. The EMP solid-waste component, primarily a composite of interim plans and other plans as yet incomplete, is admittedly (so stated in the EMP) less detailed than other EMP components. Our principal concern is that described existing problems are understated. For example, review of the back-up source material shows a need for updating the useful-life inventory of existing disposal sites. We recommend that an updated inventory be included in the plan document itself, together with a quantified summary of the existing situation.

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City of Daly City

This plan element clearly conforms with existing statutes regarding local and regional solid waste planning.

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City of Menlo Park

See comments from the City of Daly City.

Staff will suggest to EMTF addition of a goal of 25% reduction of wastes to landfills by 1980. The draft already has considerable emphasis on source separation and recycling.

Existing problems were summarized on page V-14. Since 1975 was selected as the base year for the entire EMP, information included in the county plans was used. In the continuing planning process, landfill inventory will be updated.

No response needed.

No response needed.

Solid Waste Policies and Actions - Comments Not Specific to Policies or Actions

Individual/Comment

ABAG Staff Response

Landal Institute

The plan did not sufficiently emphasize the integral role that agriculture can play in environmental management. The following policies should be added to the plan:

- o All levels of governments should encourage development of programs to compost organic solid wastes for use by local agriculture.
- o Wastewater solids management planning should give priority consideration to agricultural use.

* * * * *

At present, composting does not seem to be a viable alternative for municipal waste management. This alternative was considered in some of the county solid waste management plans and was rejected.

Policy 18 states that "facilities for wastewater solids management should be constructed in conformance with the regional wastewater solids plan. . ." The regional plan will include consideration of agricultural use of wastewater solids.

Town of Moraga

Support county planning staff's report and recommendation.

* * * * *

See response to Contra Costa County Planning staff/Board of Supervisors under General Comments and Policies and Actions of the first set of comments and response.

Western Oil and Gas Association

While we recognize that Senate Bill 424 requires that ABAG prepare a plan, it does not specify that they should be the implementing agency. We recommend that the Solid Waste Management Board, County Solid Waste Management Agencies, Department of Health, and the Regional Water Quality Control Board be designated whenever possible as the implementing agencies and ABAG remove itself from this role.

* * * * *

Confusion as arisen from the use of "Implementing Agency" in the Policies and Actions Tables. This will be changed to "Responsible Agency." Actions in the tables for which ABAG is responsible include research, planning, coordination, review and comment, information exchange and advocacy, all of which ABAG has authority to do in the 9-county Bay Area and the other agencies named do not. No implementation--as defined by project planning, construction, operation, regulation--is proposed for ABAG.

Solid Waste Policies and Actions - Comments Not Specific to Policies or Actions

Individual/Comment

ABAG Staff Response

West Contra Costa Conservation League

We wish to tell you of our endorsement of the ABARGE (Assoc. of B.A. Recycling and Environmental Groups) statement to you on the Solid Waste Management Plan. In addition we were especially pleased with the EMTF recommendations on handling of Hazardous Wastes.

* * * * *

No response needed.

Canners League of California

We generally endorse the recommendations submitted by the Bay Area League of Industrial Associations (BALIA).

We are extremely concerned with any potential changes in packing or product design, especially where public health is at issue. We feel such changes should be subjected to a thorough review prior to implementation.

* * * * *

See responses to BALIA comments under Policies and Actions.

California Refuse Removal Council (CRRC), Northern District

CRRC opposes the involvement of a new, regional level of government to implement solid waste management policies.

See responses to Santa Clara County Solid Waste Program-TAC (pp. 1-4 of the first set of comments and response).

- 1) There is no demonstrated need for such involvement.
- 2) Solid waste management policy has been well implemented by existing local and state government agencies.
- 3) Regional coordination can be done by the State Solid Waste Management Board.
- 4) It will be expensive to provide another level of taxpayer supported regional government.
- 5) Regional government involved in solid waste regulation would be duplicative and wasteful of taxpayers' money.

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Solid Waste Policies and Actions - Comments Not Specific to Policies or Actions

Individual/Comment

ABAG Staff Response

CRRC , cont'd.

CRRC supports multi-jurisdictional planning, but it should be performed with existing resources (i.e., State Solid Waste Management Board and local governments).

See response to Santa Clara County Solid Waste Program-TAC (pp. 1-4 of the first set of comments and responses).

CRRC opposes the involvement of a regional agency (ABAG) in the permit process for solid waste management franchises and facilities.

See responses to Santa Clara County Solid Waste Program-TAC, and others, under Policies and Actions 5 through 7.

- 1) The need for regional coordination has not been demonstrated.
- 2) Despite the best of intentions, the likely result of regional involvement would be to delay and frustrate the existing processes.
- 3) If the complexity of a particular process requires coordination, government can provide assistance with existing resources (i.e., State Solid Waste Management Board).

CRRC opposes transfer of local decision-making prerogatives to a regional agency.

- 1) The transfer will divest local government of control over decisions for which local voters hold local elected officials responsible.
- 2) Regional decision makers cannot be as responsive to local concerns as local government.
- 3) Regional needs are diverse, local needs more homogeneous.
- 4) Regional government does not directly reflect the concerns of constituents who pay for it.

No implementation role or transfer of local decision-making is proposed for ABAG in the regional solid waste management plan. ABAG functions include research, planning, information dissemination, coordination, and advocacy--not decision-making.

Solid Waste Policies and Actions - Comments Not Specific to Policies or Actions

Individual/Comment

CRRC, cont'd.

The California Refuse Removal Council, Northern District, respectfully suggests that any and all references to regional involvement in the operational side of solid waste management regulation be eliminated from the Draft Environmental Management Plan. Where regional coordination or planning is required, that should be accomplished between the Solid Waste Management Board and local government.

Figure 2 on page 50 contains a graphic description of the regional system through 1980. It purports to be based on the various county plans, which are summarized on pages 45 through 47. There is a rather significant discrepancy between the reported county plans and Figure 2.

We would recommend amending Figure 2 to in fact reflect the numbers contained in the county plans.

The statutory mandate of Government Code § 66780.5 (added by Stats. 1977, Ch. 689), included the following admonitions. "The regional plan shall address only those regional issues identified by local governments in the County Solid Waste Management Plans" . . . and "Regional programs and policies shall not include aspects of solid waste handling that are primarily the responsibility of local governments as defined by § 66732 and § 66771."

To comply with the above-quoted legislative mandates, it would be helpful if the Plan would indicate, for example, where the regional issues are identified by local governments in their respective Solid Waste Management Plans. If that was done, it is not apparent from a reading of the Summary or Plan Recommendations. Perhaps some discussion in the Summary or Plan Recommendations would be appropriate.

ABAG Staff Response

There are no references to ABAG involvement in the operational side of solid waste management regulation in the EMP. Other regional agencies--BAAPCD, RWQCB, BCDC and the Coastal Commissions do have regulatory powers and are so referenced. ABAG--not the SSWMB nor local governments--has regional coordination and planning responsibilities under a number of State and Federal laws which are cited in the text and the policies and actions tables.

Staff will re-examine Figure 2.

County staff responsible for preparing SB5 plans met with ABAG and SSWMB representatives throughout 1973-76. The issues identified by them as requiring a regional approach are discussed in the draft regional solid waste plan, pp. V-11 to V-13. A table indicating references to regional issues in the county plans may be examined at the ABAG offices.

Solid Waste Policies and Actions - Comments Not Specific to Policies or Actions

Individual/Comment

CRRRC, cont'd.

With respect to the latter caveat that regional programs and policies shall not include aspects of solid waste handling that are primarily the responsibility of local government, we suggest that in some instances the Plan rather clearly exceeds this limitation. For example, the discussion on page 51 of the Summary which refers to uniform collection standards, the "firm establishment" of service areas, and direct ABAG involvement in the permit process all seem to violate the statutory limitations on regional programs and policies as articulated in SB 424. Before the final Environmental Management Plan is adopted, a substantial review needs to be undertaken to insure compliance with the rather clear statutory limitations imposed under SB 424.

* * * * *

Bay Area Council

We have the following general comments about the draft plan:

1. Insufficient Rationale for Actions. The draft Plan almost axiomatically argues for some radical departures from present solid waste management practices without sufficient substantiation that the absence of close-in landfill sites justifies taking such action. Nor does the Plan adequately reflect current developments in solid waste technology to produce refuse-derived energy. Uncertainties remain about the financial viability and

ABAG Staff Response

The language in the text is misleading and will be changed to indicate that developing uniform collection standards and establishing service areas are actions proposed in the approved county plans, to be carried out by cities and counties, as part of Action 1.1.

Involvement of ABAG in the permit process is related to Sec. 66701 and Sec. 66770 of the Government Code. SB424 requires that the regional solid waste management plan shall be consistent with the Air Quality Maintenance Plan and the 208 plan for the Bay Area. ABAG's actions related to the permit process are intended to make the existing permit process more efficient in order to facilitate implementation of large scale resource recovery systems that must meet air and water quality standards. ABAG's role is primarily to provide information. No new layer of permit approval is proposed.

The County plans are governed by a Statewide goal calling for a 25% reduction of wastes going to landfills by 1980. Many of the proposed policies and actions are intended to assist the counties to achieve that goal. It is recommended that the EMTF approve the same goals for the EMP. Staff recommends that policy 3 and actions be rewritten to make

Solid Waste Policies and Actions - Comments Not Specific to Policies or Actions

Individual/Comment

ABAG Staff Response

Bay Area Council, cont'd.

and air quality impacts of such facilities, but several Bay Area communities have demonstration projects planned or underway. Conclusions drawn from those projects could have a major impact on future Bay Area solid waste planning.

2. Limited Budget. The central question is, is the Plan's emphasis on changing consumer and waste disposal habits over the long term more desirable in terms of effectiveness, costs and impacts than a reliance on large-scale, high-technology resource and energy recovery systems? Obviously, these techniques are not mutually exclusive, but the point is that planning for the solid waste element, limited to a budget of \$66,000 out of the \$4.3 million EPA grant, could not include thorough evaluation of alternative strategies.

3. Institutional Concerns. The Plan may also be premature in proposing longer range waste reduction strategies insofar as they are not based on county plans beyond 1980. By law, the regional solid waste management plan must be consistent with local plans, and must deal with those issues identified as regional concerns in county solid waste plans. It has also been noted that some of the actions proposed may duplicate or complicate efforts currently being made by other agencies (e.g., State Solid Waste Management Board). It is not clear that the additional expenditures called for in this Plan are necessary to supplement existing programs of other agencies, or that the claimed benefits to the public and private sectors will occur if the regulatory powers of the management agencies remain unchanged.

explicit its relationship to waste-to-energy technology issues. See comments to League of Women Voters under policy 3.

Under policy 3, the plan proposes to obtain additional information needed for evaluation of large-scale, technological alternatives. As you point out, uncertainties remain. The plan proposes a balanced approach to solid waste management. Public comments at county roundtables indicated high public interest in ways that households could take part in solving the problem without costly technological solutions.

Long-range waste reduction strategies are not proposed in the plan. These will be developed in the continuing planning process as necessary additional information becomes available. By Resolution of the SSWMB, county plans must also be consistent with the 208 plan. The plan proposes that ABAG work closely with the counties to assure consistency. No actions proposed for ABAG duplicate or complicate efforts of other agencies. Expenditures will be clarified.

Solid Waste Policies and Actions - Comments Not Specific to Policies or Actions

Individual/Comment

ABAG Staff Response

State Department of Health

We had an opportunity in late 1977 to meet with members of the ABAG staff and discuss the content of the hazardous waste activity in a prior draft of the report. I believe that, for the most part, there was an understanding reached regarding the management of hazardous wastes which is reflected in the latest draft document.

No response needed.

In the matter of hazardous waste management, regional involvement appears most appropriate in the development of basic data on the generation of hazardous wastes through comprehensive field surveys of a county or a region, and the determination of future needs for hazardous waste treatment, storage, reuse or disposal sites. The draft document properly indicates cooperative activities in these areas.

No response needed.

On page V-3, Legal Mandates, the legal mandates presented in the report do not include Sec. 25100 et seq., of the Health & Safety Code which provide comprehensive authority to the Department of Health to regulate hazardous wastes in California. This is a major omission and reflects adversely on the total content of the report (copy enclosed).

This citation will be added.

On page V-12, Assurance of Hazardous Waste Disposal Capacity, the term Group 1 wastes is used interchangeably with hazardous wastes. This is not the case, i.e., brines are Group 1 but are not hazardous, asbestos is hazardous but Group 3. On page V-13, it should be stated that manifests of hazardous waste loads are submitted to the Department of Health as required by State laws.

These corrections will be made.

"Lack of enforcement" is cited as a reason for illegal disposal of hazardous wastes. Since 1974, surveillance and industry education of laws has reduced improper disposal of hazardous waste. The report should also point out that the State has adopted strong enforcement controls in recent legislation (AB 1593).

Changes will be made to reflect these comments.

Solid Waste Policies and Actions - Comments Not Specific to Policies or Actions

Individual/Comment

ABAG Staff Response

State Department of Health, cont'd

Reference is made to inadequate coordination for hazardous materials spills (page V-14 and III-4). Pursuant to the requirements of recent State law, the Department will develop a capability which will be useful in this area.

This information will be added.

We have not found the basis for financial impacts or the source of funds to support the various activities given in the plan recommendations or the funding levels that have been established. The establishment of funding patterns for other agencies such as ours in the plan recommendations might be considered to be inappropriate.

It is not the intent of the plan to establish funding patterns for other agencies. The estimated cost is only an indication of the monetary resource needed for implementing a recommended action.

* * * * *

U.S. Environmental Protection Agency

p. v-1 and (cont'd) v-2

Under additional recommended actions, add the following:

"Enforce requirements that all hazardous waste management facilities (on-site and off-site facilities) have a hazardous waste permit." (See the California Health and Safety Code, Division 20, Chapter 6.5, Article 9; copy attached.)

This recommended action will be added.

p. v-4

Missing is a descriptive summary of California's hazardous waste management law (Health and Safety Code, Division 20, Chapter 6.5, Hazardous Waste Control; copy attached) and regulations (Title 22 (Register 77, No. 42-10-15-77), Division 4, Environmental Health; copy attached)

California's hazardous waste management law will be mentioned.

Solid Waste Policies and Actions - Comments Not Specific to Policies or Actions

Individual/Comment

ABAG Staff Response

U.S. EPA, cont'd

p. v-24

This section should be expanded to include a discussion of California's hazardous waste resource recovery activities. Inspectors for the Vector and Waste Management Section in the Department of Health have been very successful in putting generators of specific hazardous wastes in contact with manufacturers who may be able to use a specific waste as a component in their production processes. This activity is expected to recover much greater quantities of hazardous waste as a result of recent legislation (AB 1593, incorporated in Chapter 6.5, Health and Safety Code, Division 20, Article 7, Section 25175; copy enclosed) which requires that any person who disposes of a hazardous waste listed by the Department of Health as recyclable may be required to justify why the waste was not recycled. (Dr. Storm of the Berkeley Office of the California Department, Vector and Waste Management Section, may be contacted for information at 843-7900, ext. 435.)

One or two page descriptions of activities and major issues in municipal, hazardous, and sewage treatment wastes will be included in the introductory sections. These descriptions will include the waste exchange activities of the Department of Health (which are included in Action 14.3 on page V-56), and more detail about the background and findings of the regional wastewater solids study and plan.

p. v-13

The records of hazardous wastes transported by licensed haulers are submitted to the Vector and Waste Management Section of the California Department of Health, not to the State Water Resources Control Board. It is also the Vector and Waste Management Section that licenses hazardous waste haulers. (See California Hazardous waste laws and regulations cited in #3, above.)

This change will be made.

p. v-15

In Table 3, 5% is used to estimate annual increases in hazardous waste generation. This is based on an estimate of 0% decrease due to legislative incentives and disincentives. In fact, it is quite likely that recent hazardous waste legislation (AB 1593, see California hazardous waste material legislation cited above) will result in significant recovery of hazardous waste as described in #3 above. It is suggested that the Vector and Waste Management Section (contact

State Department of Health reviewed our Tech. Memo on hazardous waste quantities and did not comment on it.

Solid Waste Policies and Actions - Comments Not Specific to Policies and Actions

Individual/Comment

ABAG Staff Response

U.S. EPA, cont'd

Dr. Storm, 843-7900, ext. 435) be contacted for a figure to use in estimating decreased hazardous waste generation due to legislative incentives and disincentives.

p. v-24

The section on "Hazardous Waste Management" should be rewritten to indicate that the California Department of Health has regulations, now in effect, for permitting hazardous waste storage facilities. (Copy attached; see citation in #3 above.) These regulations, written to comply with RCRA, require that county standards not be less stringent, and that they must be consistent with State standards.

Some rewriting will be done.

p. v-25

In the first paragraph, it should be noted that a county-by-county survey (for other than Alameda) of "on-site" industry hazardous waste management activities, funded by the Solid Waste Management Board and conducted by the Department of Health, is currently underway. This survey will provide valuable information and should be given consideration in the Continuing Planning Process. In addition, it should also be noted that Section 3010 of RCRA will require all persons dealing with a hazardous waste, as defined by EPA, to notify EPA (or the State with an approved hazardous waste management program) of the location and a general description of such activities and the waste handled. It is likely that "notification" will occur in the summer and fall of 1978, that it will be conducted by the State Department of Health, and that it will provide a great deal of valuable information regarding hazardous waste in the Bay Area. Information from the "notification" should be accessible to ABAG for consideration in the Continuing Planning Process.

The rewritten introductory sections will include such a discussion.

Solid Waste Policies and Actions - Comments Not Specific to Policies and Actions

Individual/Comment

ABAG Staff Response

U.S. EPA, cont'd

In this section on Wastewater Solids Management, there should be a discussion of forthcoming EPA and California Department of Health regulations for land application of sludge. The intent of EPA regulations (latest draft of November 29, 1977 to be issued under Sections 1008 and 4004(a) of RCRA enclosed; see pp. 40-45 and pp. 72-75) will be to minimize cadmium additions to crop land and to specify soil management practices to reduce the level of cadmium entering crops. EPA regulations should be promulgated in the Federal Register in the summer of 1978.

For information about California Department of Health regulations for land application, contact Mr. Michael Kiado of the Department, Vector and Waste Management Section at (916) 322-2337.

Both sets of regulations will significantly affect the options for land application of sludge and solid waste and should be given adequate consideration during the Continuing Planning Process.

p. v-22 (second paragraph, last sentence) and Action 5.1

While it would be very valuable for ABAG to develop the informational packet on agencies' permit issues, and for "the county to convene meetings of the various agencies (presumably local and State) to smooth the process of establishing solid waste sites and facilities" needed to implement the county plan, it is not clear how these county meetings will be necessarily facilitated or further ensured by the suggested ABAG coordination of the permit process. This clarification is needed on p. v-22. In addition, it is also not clear how the agreement to be signed by participating agencies would really assist implementation of Policies 6-10, especially Policy 10, indicated under "Measures to Ensure Implementation" for Action 5.7

The rewriting of the introductory sections will include such a discussion.

See responses to comments on Policies 5.6, and 7.

The references to policies 6-10 under measures to ensure implementation is a typo. It should read: policies 5-7.

Individual/Comment

ABAG Staff Response

U.S. EPA, cont'd

The following should be given adequate consideration during the Continuous Planning Process:

Staff concur.

Wetlands

Pursuant to Sections 1008 and 4004(a) of RCRA, EPA is now developing regulations for the classification of solid waste disposal facilities. These regulations, now in draft form, are expected to be promulgated in the Federal Register in the summer of 1978. These regulations will require that before any new site may be located or any existing disposal site may be expanded in an environmentally sensitive area, including wetlands, flood plains and critical habitats of endangered species, the site owner or operator must clearly demonstrate to the appropriate state agency (as designated in accordance with Section 4006(6) of RCRA) that the facility meets the specific criteria in EPA regulations. Specifically, in wetlands area, new disposal sites may not be expanded into wetlands unless an NPDES permit has been obtained (under Section 402 of FWPCA Amendments of 1972, P.L. 92-500); unless an Army Corps of Engineers permit has been obtained if a levee, dike, or other type of containment structure is to be placed in the water as part of the disposal activity (pursuant to Section 404 of FWPCA); and unless it has been clearly demonstrated that there are not other feasible alternatives, that there will be significant adverse impact on the ecosystem, and that the facility utilizes the best available technologies and methods to minimize any adverse effects. (See attached copy of DRAFT Criteria for Classification of Solid Waste Disposal Facilities, pp. 18-24 and 65-68.) Because there are so many solid waste disposal sites in or very close to the San Francisco Bay, these regulations and State activities to implement them, need to be followed closely during the Continuing Planning Process.

Solid Waste Policies and Actions - Comments Not Specific to Policies and Actions

Individual/Comment

ABAG Staff Response

U.S. EPA, cont'd

Under various "Actions" under Policies in the Recommendation Section (i.e., Actions 1.3, 2.1, 8.1, 10.1, 10.2, 12.1, 12.2, 13.1, 13.2, and 14.1) "RCRA" or "Federal and State funds" are identified as the financing mechanism. EPA will be awarding RCRA grant funds only to designated state agencies, and it will be up to those state agencies to determine whether to pass-through any of those funds to local/regional governments. It is not clear how much, if any RCRA grant money going to CaSWMB, will in fact be left over after the State's grant related work for pass-through to ABAG or other local/regional governments. Therefore, it is suggested that the proposed financing mechanisms in the "Actions" cited be investigated further in consultation with the CaSWMB staff. (Contact Keith Amundson at 916-322-6328.)

The relationship of RCRA grant funds, the SSWMB, ABAG and local agencies will be clarified in the introductory material and in the appropriate actions in the Policies and Actions tables.

Editorial Comments

a. p. v-4

The summary of RCRA needs to be expanded. The following is suggested as an alternative.

"The objectives of the Act are to promote the protection of health and environment and to conserve valuable material and energy resources. These are to be achieved by EPA by:

- 1) Providing technical and financial assistance to State and local governments for development and implementation of solid waste management plan.
- 2) Providing training grants in solid waste occupations.
- 3) Prohibiting future open dumping on land and requiring upgrading or closing of existing open dumps.

The summary of RCRA will be expanded.

Solid Waste Policies and Actions - Comments Not Specific to Policies and Actions

Individual/Comment

ABAG Staff Response

U.S. EPA, cont'd

- 4) Regulating the treatment, storage, transportation, and disposal of hazardous wastes (may be delegated to States with approvable hazardous waste management programs).
- 5) Promulgation of guidelines for solid waste management practices and systems.
- 6) Conducting a research and development program for improved solid waste management and resource conservation techniques.
- 7) Demonstration of improved solid waste management and resource conservation and recovery systems.
- 8) Establishing a cooperative effort among Federal, State, and local governments and private enterprise.
- 9) Reduction of the waste stream through increased resource recovery and waste reduction efforts.

b. p. v-54

In Action 13.3, under "Legal Authority" believe AB 1573 should be AB 1593.

The change will be made.

Solid Waste Policies and Actions

SW Policy 1: The regional solid waste management plan should primarily be based on the county solid waste management plans, and primary responsibility for adequate solid waste management shall rest with local governments.

Individual/Comment

ABAG Staff Response

City of Newark

Delete Action 1.3

See response to Santa Clara County Solid Waste Management Program-TAC.

City of Hayward

Under Action 1.3, ABAG should compile the county solid waste management plans. It should integrate them with the hazardous waste and sludge plans.

Action 2.1 would accomplish this.

State Department of Health

Policy 1 (page V-17) recognizes that primary responsibility for municipal solid waste management rests with local government. For clarity, a policy which states that primary responsibility for hazardous waste management rests at the State level should be provided in the policies listed under hazardous wastes (page V-25).

This will be clarified in the introductory text and in the general descriptions in the Policies and action tables.

Associated Building Industry of Northern California

Delete the word "regional" from Policy 1.

See response to Santa Clara County Solid Waste Management Program-TAC.

SW Policy 1 (Continued)

Individual/Comment

Associated Building Industry of Northern California (Continued)

Under Action 1.1, delete the phrase "as part of the regional solid waste management plan."

Modify Action 1.2 to read: "Update county plans as necessary."

Delete Action 1.3.

California Refuse Removal Council, Northern District (CRRD).

Amend Action 1.3 to substitute the State Solid Waste Management Board for ABAG as the implementing agency for review of the up-dated County Solid Waste Management Plan.

City of San Jose

Support Policy 1 and Actions 1.1, 1.2, and 1.3.

ABAG Staff Response

Action 1.1 is so stated since the regional plan includes a composite of the county plans, to be implemented by the counties.

The State Solid Waste Management Board requires the plans to be updated periodically.

See response to Santa Clara County Solid Waste Management Program-TAC.

No response needed.

SW Policy 2: Regional solid waste management planning should be coordinated with State and local planning and be an integral part of areawide environmental management planning.

Individual/Comment

Associated-Building Industry of Northern California

Under Policy 2, delete the words "and be integral part of areawide environmental management planning."

Delete Action 2.1

California Refuse Removal Council
Northern District (CRRC)

Amend Action 2.1 to substitute the State Solid Waste Management Board for ABAG as the implementing agency for that action.

City of San Jose

Support Action 2 and Action 2.1

BALIA

Delete Action 2.1 "Update the Regional Plan."

Comment: Under Action 1.3 (page V-34) ABAG proposes to "review the updated county plans." As indicated on p. V-4, last paragraph, ABAG has the responsibility, under SB-424, to prepare and update a regional solid waste management plan. ABAG does not have an on-going responsibility for annually updating the plan as indicated by Action 2.1.

ABAG Staff Response

Solid waste management planning should be an integral part of environmental management planning.

See response to San Mateo County Council of Mayors.

See response to San Mateo County Council of Mayors.

No response needed.

Annual updating of the EMP is required by the FWPCA and ABAG's plan amendment procedures. Updating will incorporate any changes made in county plans as well as information developed in other programs, such as the State-funded feasibility studies for waste-to-energy facilities.

The State Solid Waste Board has authority to require the county plans to be updated, but has no authority to update any local or regional plans.

SW Policy 2 (Continued)

Individual/Comment

ABAG Staff Response

BALIA (Continued)

In our opinion this responsibility rests with the State Solid Waste Board. Furthermore, it would appear unlikely that the county solid waste plans would require an annual update and therefore Action 2.1 is redundant and an unnecessary cost.

SW Policy 3: Regional or subregional resource conservation and recovery programs should be consistent with the regional solid waste management plan, and should focus on multi-jurisdictional projects for waste reduction and recovery of materials and energy from solid waste.

Individual/Comment

ABAG Staff Response

Associated Building Industry of Northern California

Modify Policy 3 as follows:

See response to Bay Area League of Women Voters.

~~Regional or subregional~~ resource conservation and recovery programs should be consistent with the ~~regional~~ Solid Waste Management Plan and the Environmental Management Plan, and should focus on ~~multi-jurisdictional projects for~~ waste reduction and recovery of materials and energy from solid waste.

Delete Action 3.1

Action 3.1 is required by Circular A-95 of the Office of Management and Budget.

Under Action 3.2, add the words "if necessary."

The phrase is inappropriate since additional information is definitely needed.

CCRC

Amend Policy 3 to eliminate the word "sub-regional" and amend Action 3.1 to eliminate ABAG as an implementing agency.

See response to Bay Area League of Women Voters. ABAG has review authority under circular A-95 of the Office of Management and Budget.

SW Policy 3 (Continued)

Individual/Comment

City of San Jose

Support Policy 3 and Action 3.1

The following words should be added to the end of Action 3.2"... including information regarding potential marketability of recovered materials." Before major resource recovery projects are undertaken, there is a need for additional information regarding the size and location of potential markets for the resources that are to be recovered.

ABAG Staff Response

No response needed.

Description of Action 3.2 will be modified to reflect the proposed changes.

See also response to Bay Area League of Women Voters.

SW Policy 4: All solid waste disposal sites must be situated, designed and operated to provide protection to the surface and ground water quality and the natural environment, as well as protection of public health and safety.

Individual/Comment

RWQCB/SWRCB

Delete Action 4.1

We support the proposed policy but question the need for Action 4.1. There are presently 37 operating solid waste disposal sites in the Bay area. All but two of them are under waste discharge requirements. The Regional Board is currently involved in updating the waste discharge requirements and it is anticipated that this will be completed by the end of 1978.

U.S. Environmental Protection Agency

Revision of discharge requirements will be dependent upon EPA promulgation of sanitary landfill criteria/regulations under Section 1008 and 4004(a) of RCRA. (Copy of latest draft of regulations attached.) Therefore, RCRA should be cited under "Legal Authority." In addition, the California Solid Waste Management Board (CaSWMB), as the lead agency for implementation of RCRA, will play a major role in ensuring that any State regulations pertaining to waste discharge requirements are consistent with EPA regulations. Include the CaSWMB "Under Implementing Agencies" and revise Measures to Ensure Implementation" to indicate this.

ABAG Staff Response

Action 4.1 is necessary in order to meet State and Federal requirements in a timely manner. See also EPA comments below.

Sections 1008 and 4004 (a) of RCRA will be cited under the column heading of "Measures to ensure implementation." SSWMB will be added to appropriate columns.

SW Policy 4 (Continued)

Individual/Comment

U.S. Environmental Protection Agency (Continued)

State standards revised to be consistent with EPA sanitary landfill regulations will affect efforts to accelerate revision of discharge requirements. However, ABAG could well serve to advocate speedy revision once EPA regulations are published. Also ABAG, could contribute to the EPA regulation development by submitting comments on the "proposed" regulations when these are published in the Federal Register.

CRRC

Because current law requires an environmental impact report on solid waste disposal sites, it would seem appropriate to recognize CEQA as the legal authority which will cause this policy statement to be implemented to the extent that it relates to the impact on the environment.

Associated Building Industry of Northern California

Add the words "if costs are justified" to Policy 4.

Modify Action 4.1 to read "continue to adopt and update waste discharge requirements." Modify Action 4.2 to add the words "continue to" at the beginning.

City of San Jose

Support Policy 4 and Actions 4.1 and 4.2.

ABAG Staff Response

We concur

Legal requirements cited in the draft plan are more specific.

The proposed wording is inappropriate, since it may imply that public health and safety will be protected only if costs are justified.

The proposed modification is inappropriate since Waste Discharge Requirements should be adopted and updated as soon as possible in order to protect the environment as well as public health and safety.

No response needed.

SW Policy 5: Where possible, incorporate methods into the existing permit process for solid waste management facilities that will make the process more efficient and convenient and that will facilitate early discussion of project-related issues.

Individual/Comment

City of Daly City

This policy and the supporting actions are believed to be unnecessary since the State Solid Waste Management Board and local agencies are actively working now to improve the permit approval process. Deletion of these actions is recommended.

City of Menlo Park

See comments from the City of Daly City.

RWQCB/SWRCB

Permit streamlining and coordination activities are currently very popular. However, in this case, we are concerned that the number of potential new solid waste disposal sites may not justify the effort needed to improve the process.

The implementation of AB 884 should accomplish many of the goals of these policies. Work above and beyond that required by AB 884 may not be justified unless a significant number of new solid waste disposal projects are proposed. This should be thoroughly analyzed prior to approval of these policies and actions.

ABAG Staff Response

ABAG's intent is to suggest ways to make the existing permit process more efficient in the Bay Area. We recognize that there are local and state efforts now underway. However, staff feels that the important perspective ABAG brings to this task is our involvement in air and water quality planning to meet Federal standards. Obtaining the necessary permits for large-scale resource recovery facilities will require careful and extensive coordination. Policy 5 is aimed at aiding implementation of such facilities proposed at the local level.

See response to City of Daly City.

We agree that in the future there may not be many new landfill disposal sites in the Region. However, local agencies will be proposing resource recovery facilities subject to many different standards and regulations. We feel these actions can facilitate implementation of these complex projects. AB 884 will improve the permitting procedure. ABAG's policies are aimed at improving the process at all levels of government, not just the state level.

SW Policy 5 (Continued)

Individual/Comment

BALIA

Delete Action 5.1

Comment: It is our understanding this activity is already available from appropriate State agencies including information on permits, application forms, etc. Formation of a new agency by ABAG would be duplicating these functions. It is unlikely the State agencies would cease this activity as the need would continue to exist in other areas of the state.

Delete Action 5.3.

Comment: This appears to be a duplicative effort by ABAG of responsibilities already well managed by existing agencies.

Associated Building Industry of Northern California

Delete the words "and that will facilitate early discussion of project related issues" from Policy 5.

Delete Actions 5.1, 5.2 and 5.3.

ABAG Staff Response

No new Agency is proposed. Please note that the responsible agencies for this action are ABAG and County Solid Waste Management Agencies and that total annual cost for all is \$1,100. The activity is not available from State agencies. It is provided by some of the counties, not all.

There are many regional permitting agencies whose responsibilities are confined to this region and do not extend to other areas of the state.

Again, please note that many agencies are shown as responsible agencies for this action, with a very modest annual cost. This is an activity well-managed by existing agencies insofar as permits for landfills are concerned. The need for regional coordination will arise when permits are sought for large-scale waste-to-energy plants. ABAG is already advising one such prospective proponent.

Staff feels that early identification of issues related to a solid waste facility may promote discussion and resolution of problems. Final approval and timely construction can be expedited. These actions are intended to implement the objectives stated in Policy 5.

SW Policy 5 (Continued)

Individual/Comment

CRRC

Amend Action 5.1 to provide simply that permit process coordination should be provided by the State Solid Waste Management Board on a case-by-case basis as the need arises. Eliminate all of the ABAG coordination and implementing agency responsibilities.

City of San Jose

Support Policy 5 and Actions 5.1 and 5.2.
Support Action 5.3 with modification.

Although in some instance there may be some benefit to having ABAG staff present at pre-hearing meetings, it should be made clear that approval of this action does not authorize ABAG to become involved in the local review process for all proposed disposal sites.

State Department of Health

With regard to policies 5 through 7 and actions relating to permits, we agree that there is a need to expedite, coordinate and simplify activities but the mechanism and procedure for this is to be worked out. We intend to work most closely with the local enforcement agency on permit activities.

ABAG Staff Response

See response for San Mateo County Council of Mayors and BALIA.

No response needed.

ABAG would become involved in the local review process only if requested. We would carry out review at the regional level as expressed in Policy 3.

Staff does not feel that our permit coordination policies are incompatible with the Dept. of Health's intention to work closely with the local enforcement agency.

SW Policy 6: Agencies' existing regulations, including time limits for review and comments, should be clarified and additional ones should be adopted where necessary to formalize procedures used in processing of or commenting on applications.

Individual/Comment

ABAG Staff Response

RWQCB/SWRCB

See RWQCB and SWRCB's comments on Policy 5.

See response to RWQCB/SWRCB comments for Policy 5.

State Department of Health

See comments under Policy 5.

See response to Dept. of Health comments for Policy 5.

U.S. Environmental Protection Agency

In Action 6.1 and 6.2, under "Implementing Agencies," include EPA which will be the implementing agency for both the Toxic Substances Control Act (TSCA) and forthcoming PCB disposal regulations. "Measures to Ensure Implementation" should be revised accordingly.

Staff concurs. Changes will be made.

Associated Building Industry of Northern California

Add the phrase "where appropriate" to Policy 6.

Staff feels that any changes that are needed to clarify the process for the applicants are appropriate and necessary. No change required.

Add the phrase "after all impacts are analyzed" to Action 6.1.

Clarification of existing regulations requires no impact analysis. Staff agrees that implications of new regulations should be analyzed by the agency.

SW Policy 6 (Continued)

Individual/Comment

Associated Building Industry of Northern California (Continued)

Add the phrase "unless inappropriate" to Action 6.2

CRRC

Amend Action 6.2 to eliminate the absolute requirement that local regulatory agencies set definite time limits for permit processing.

City of San Jose

Support Policy 6 and Actions 6.1 and 6.2.

BALIA

Delete Policy 6 and Actions 6.1 and 6.2.

Comment: The policy as stated is too indefinite and should be deleted or clarified. The proposed Actions 6.1 and 6.2 are also unclear and appear to be "make work" proposals which could be an unnecessary cost to taxpayers.

ABAG Staff Response

Many agencies already have options to lengthen the processing of permits for extreme circumstances. In most cases, staff feels that time limits are appropriate and important to add a degree of certainty to the procedure.

See response to Associated Building Industry of Northern California.

No response needed.

The policy can be clarified.

Many permit granting agencies have ambiguous criteria for evaluating proposed projects; others do not have definite time limits for review, comment and response. Actions 6.1 and 6.2 call for changes by these agencies, to reduce uncertainties and delays (which are also costs to taxpayers).

SW Policy 7: Permit coordination procedures for solid waste management activities should be integrated with other coordination projects in the future, as appropriate.

Individual/Comment

ABAG Staff Response

City of Daly City

This policy and the supporting actions are believed to be unnecessary since the State Solid Waste Management Board and local agencies are actively working now to improve the permit approval process. Deletion of these actions is recommended.

See response to San Mateo County Council of Mayors.

City of Menlo Park

See comments from the City of Daly City.

See response to San Mateo County Council of Mayors.

RWQCB/SWRCB

See RWQCB and SWRCB's comments on Policy 5.

See response to RWQCB/SWRCB comments on Policy 5.

Associated Building Industry of Northern California

Modify Policy 7 to read: Permit coordination procedures for solid waste management activities should be integrated with other coordination projects if appropriate.

Staff finds no difference in the meaning of the suggested wording and the existing wording.

Delete Actions 7.1. and 7.2.

The actions explain ABAG's role in this integration. See also response to San Mateo County Council of Mayors.

SW Policy 7 (Continued)

Individual/Comment

CRRC

Eliminate Policy Statement 7 and the action thereunder.

City of San Jose

Support Policy 7 and Action 7.1 and 7.2

BALIA

Delete Policy 7.

Comment: Permit coordination procedures are already the responsibility of appropriate State agencies and the ABAG staff proposal should be deleted as unnecessary duplication.

ABAG Staff Response

See response to San Mateo County Council of Mayors.

No response necessary.

No coordination of permit procedures currently exists under State agencies. ABAG has prepared a permit manual for the region as part of its Industrial Siting Study. It was prepared with the assistance of the various permitting agencies in the region and input from work done in preparing the regional solid waste plan. Further efforts may be necessary to facilitate establishment of industrial-scale waste-to-energy technology.

SW Policy 8: Public education programs are essential to promote awareness of need for waste reduction.

Individual/Comment

Associated Building Industry of Northern California

Modify Policy 8 to read: "public education programs are desirable when combined with incentives for industry and the public to promote awareness of need for waste reduction."

Modify Action 8.1 to read: "Federal and State governments should make funds available to support programs for promoting waste reduction."

Modify Action 8.2 to read: "Provide public incentives for waste reduction."

Delete Action 8.3

CRRC

Amend Actions 8.2 and 8.3 to eliminate reference to ABAG as an implementing agency.

City of San Jose

Support Policy and Actions 8.1 and 8.3.

ABAG Staff Response

We feel that public education programs are absolutely essential whether or not incentives are provided for. In roundtable discussions held during preparation of the EMP, members of the public repeatedly asked for information on how they could assist in waste reduction.

Action 8.1 deals with education programs in particular. Therefore, the word "education" should not be deleted.

Waste reduction should not be achieved only through incentives.

There is significant consensus on the need to inform children about resource conservation.

ABAG's role in Action 8.2 is supported by most cities and counties. ABAG is not the responsible agency for Action 8.2.

No response needed.

SW Policy 8 (Continued)

Individual/Comment

BALIA

Under Action 8.2 clarify ABAG role in a public information program

Comment: We concur with the general intent of Policy 8 and Action 8.1, and agree that it is an appropriate function of the Federal and State Governments to prepare public education programs. Under proposed Action 8.2, ABAG's role is unclear and could be an unnecessary duplication.

ABAG Staff Response

Action 8.1 calls for Federal and State funding for public education programs.

Under Action 8.2, ABAG would apply for available State or Federal funds to prepare and distribute throughout the region informational materials -- brochures, filmstrips, etc. on ways that individuals can reduce waste and reuse materials in their homes, schools, work and leisure places. More detail can be added under "General Description."

SW Policy 9: Federal and State governments should adopt legislative and administrative changes that promote waste reduction.

Individual/Comment

City of Newark

Delete Action 9.1.

U.S. Environmental Protection Agency

The inconsistencies in Policy 8-11 and 14 which indicate no action by ABAG in advocating changes in Federal and State laws should be revised to conform with statement on page VIII-3 which has ABAG developing proposals.

Associated Building Industry of Northern California

Add the phrase "via tax incentives" to Policy 9.

Add the words "and after industry comment and all impacts are analyzed" to Action 9.1.

CRRC

Amend Action 9.1 to identify, with specificity, two or three proposals for legislative implementation. This would allow interested parties to more realistically assess the significance of Policy Statement 9.

ABAG Staff Response

See response to San Leandro Manufacturers' Association.

Additional action on ABAG advocacy will be added.

The proposed phrase is inappropriate since legislative and administrative changes could involve disincentives.

The phrase "where appropriate" in Action 9.1 implies that proposals with undesirable impacts will not be implemented.

Examples of changes are included in the general description of Action 9.1.

SW Policy 9 (Continued)

Individual/Comment

City of San Jose

Support Policy 9 and Action 9.1.

BALIA

Rephrase policy 9 to "Federal and State Governments should consider Legislative and Administrative changes which Promote Waste Reduction in Concert with Cost Effectiveness of the Proposals."

Comment: The proposed policy and the first paragraph of the Solid Waste Management Plan summary (page V - I) infer that conservation or restrictions alone will solve our waste management problems. We cannot agree with this premise. Economic considerations including cost effectiveness and cost impact on consumers of legislative or administrative change proposals should be ~~including cost effectiveness and cost impact on consumers of legislative or administrative change proposals should be~~ included. Rephrasing Policy 9, as recommended, should provide this flexibility.

We would also point out that the "costs per year for the recommended action" cannot be zero as indicated on p. V-46. In fact, we believe the costs could be substantial depending upon the specific changes. We recommend a cost figure be included for Action 9.1

ABAG Staff Response

No response needed.

See response to San Leandro Manufacturers' Association.

Cost impact on consumer expenditures is shown under economic impacts on p. V-47.

Incremental costs for State and Federal legislation and administrative change are shown as zero, since these are ongoing responsibilities of State and Federal governments.

Individual/Comment

Bay Area Council

Delete Policy 9 and Action 9.1

The changing nature of solid waste technology, and concerns that these actions could be costly, disruptive or counterproductive far out of proportion to their benefits, are reasons not to adopt the proposed measures. Affected industries point out that container manufacturing restrictions would require significant private capital investment, force design and operational changes, and shift product transportation and distribution patterns, with little assurance that significant benefits would result. The direct regulatory mechanisms proposed in the Plan, along with other actions to favor use of secondary materials, would likely be inflationary, resulting in increased consumer prices. Based on these factors, and the more general comments about the direction of the plan, we conclude that the actions shown above are not warranted. These strategies ignore the excellent opportunities unfolding in the resource field, and significantly interfere with normal market mechanisms.

ABAG Staff Response

See response to San Leandro Manufacturers' Association.

SW Policy 10: Regionwide cooperation is needed to develop stable, adequate markets for secondary materials.

Individual/Comment

ABAG Staff Response

U.S. Environmental Protection Agency

Under Policy 10, as an additional action item, it is suggested that ABAG consider the possibility of undertaking or of advocating that another agency undertake to begin a viable "market cooperative" for the sale of source grouped recycled materials. The cooperative concept would allow a number of small recycling centers to share necessary equipment and associated costs/maintenance, storage area, and to accumulate larger quantities of recycled materials prior to sale. How many recycling centers and how much recovered material would be required to make a cooperative economically feasible needs to be determined, as well as the legal agreements, etc. The establishment of several cooperatives in the region could do a great deal to develop stable markets for recovered materials.

The study of the feasibility of cooperative arrangements among community recycling programs for transportation, warehousing, and marketing will be included in the general description of an action under Policy 3.

The CASWMB will be conducting seminars/public meetings so that representatives of industries and manufacturers can comment on marketing opportunities for source separated materials. These will be taking place in February and March (1978) and could provide valuable information for the Bay Area.

We have attended one of the seminars.

Associated Building Industry of Northern California

Change the word "regionwide" to "statewide" under Policy 10.

Regionwide cooperation would be more appropriate. See EPA comment above.

SW Policy 10 (Continued)

Individual/Comment

Associated Building Industry of Northern California (Continued)

Change Action 10.1 to read "Set standards for recycled materials."

Delete Action 10.2

CRRC

Amend Action 10.1 and 10.2 to substitute the State Solid Waste Management Board for ABAG as the implementing agency for both of those actions.

City of San Jose

Support Policy 10 and Actions 10.1 and 10.2.

BALIA

Comment: The inferred forced development of stable markets for secondary materials is contrary to a "free enterprise" philosophy and is not an appropriate role for ABAG. Potential markets for secondary materials extend far beyond the Bay Area. In our opinion the funding indicated for Actions 10.1 and 10.2 is grossly inadequate and could not support the broad geographic activity required by the proposals.

ABAG Staff Response

Users of recycled materials have specifications. The U.S. Bureau of Standards is developing specifications pursuant to RCRA.

Action 10.2 is essential in order to achieve Policy 10.

See response to SSWMB.

No response needed.

The "Responsible Agency" for Action 10.1 and 10.2 will be changed to "SSWMB in cooperation with ABAG." The SSWMB has begun a statewide program of market development. ABAG costs shown would be for coordinating activities and information for the nine-county region.

Solid Waste Policies and Actions

Policy 11: Federal and State Governments should adopt legislative and administrative changes to improve competitive positions of secondary materials and products containing secondary materials.

Individual/Comment

ABAG Staff Response

City of Newark

Delete Action 11.1

State and Federal legislation have already recognized the need for changes, and Action 11.1 should not be deleted.

Amend Action 11.2 to delete the present measures to insure implementation and substitute therefor the term "voluntary."

Implementation of Action 11.2 is not mandatory. The Action calls for adoption of preferential purchasing policies by regional and local agencies, where appropriate.

* * * * *

U.S. Environmental Protection Agency

It should be noted, that the U.S. Department of Energy has instituted a grant program whereby State Procurement Offices, after submitting a plan, may receive a grant for use in increasing their procurement of items made of recovered materials. This is a program that is just getting under way. Information about the program can be gotten from Mr. Donald Ekstedt of the California Department of General Services at (916) 445-0957. It is possible that the ABAG could serve as a link between State and local governments to relay information about the State program and procurement opportunities, and to advocate increased procurement of items made of recovered materials at the local government level.

We concur.

* * * * *

Associated Building Industry of No. California

Add the phrase "without increasing costs of virgin materials" to Policy 11.

Some of the changes may remove the favored tax status of virgin materials. Therefore, the proposed wording should not be added to Policy 11.

Solid Waste Policies and Actions

Policy 11 (cont'd)

Individual/Comment

Associated Bldg. Industry of No. Calif. (cont'd)

Modify Action 11.1 to read: "Provide tax incentives via Federal and State laws. . ."

Delete Action 11.2. This action is already done (Gov. Code Sec. 14784.1-17486).

* * * * *

CRRC

Amend Action 11.2 to substitute the State Solid Waste Management Board for ABAG as the implementing agency.

* * * * *

City of San Jose

Support Policy 11 and Actions 11.1 and 11.2.

* * * * *

BALIA

Clarify intent of proposal under Policy 11.

Comment: The proposals are idealistic intent and are not supported by information contained in the draft EMP. Clarification is desirable to assure a meaningful policy.

* * * * *

Bay Area Council

Delete Policy 11 and Actions 11.1 and 11.2.

See also comments on Policy 9.

ABAG Staff Response

Action 11.1 would include tax incentives and disincentives. See general description.

Responsible agencies for Action 11.2 include regional agencies and local governments. Existing State law only requires State agencies to adopt preferential purchasing policies.

Action 11.2 calls for the adoption of preferential purchasing policies by ABAG, regional agencies, and local governments. Under existing State law, State agencies, including the SSWMB, already have or will adopt such policies.

No response needed.

Clarification is provided in Actions 11.1 and 11.2.

State and Federal legislation have already recognized the need for changes; the proposed policies and actions should not be deleted.

Solid Waste Policies and Actions

Policy 12: All levels of governments should encourage development of source separation programs.

Individual/Comment

ABAG Staff Response

City of Newark

Amend Action 12.3 to reflect ABAG as the only implementing agency.

Other regional agencies and local governments should also establish office paper recycling programs.

Amend Action 12.4 to read: adopt resolution supporting existing community source separation and recycling programs providing that this action does not commit expenditure of public funds.

It is up to the individual agency to adopt the resolution and whether or not to commit expenditure of public funds. Endorsement or sponsorship by local governments can make existing community programs eligible for State funds.

* * * * *

U.S. Environmental Protection Agency

Under Action 12.1, it is suggested that information regarding available sources of funding (i.e.; grant or loan programs) for source separation programs be investigated and also made available.

General description of Action 12.1 will be modified to reflect this suggestion.

The California SWMB is now in the process of implementing the Used Oil Recycling Act (SB 68). The Board will be conducting a public education program to encourage do-it-yourselfers to take used oil to a collection facility. As a part of this program, the SWMB will maintain a used oil information center. It is suggested that ABAG contact the SWMB (for contact see #3 above) to determine how to best assist the program.

We will follow up on this.

* * * * *

Associated Building Industry of No. California

Add the phrase "where appropriate" to Policy 12.
Add the phrase "and tax incentives" to Action 12.1.

This phrase will be added to Policy 12.

ABAG and SWMB cannot provide tax incentives under Action 12.1.

Delete Action 12.2. Tax incentives would be more effective. Why fund only "demonstrations?"

Demonstration projects are needed in order to establish the effectiveness of source separation programs.

Solid Waste Policies and Actions

Policy 12 (cont'd)

Individual/Comment

Associated Building Industry of No. California,
cont'd

Modify Action 12.3 to read: "Continue office paper recycling program "

Delete Action 12.4. We need more programs, less resolutions.

* * * * *

CRRC

Amend Actions 12.1 and 12.3 to eliminate ABAG as an implementing agency.

* * * * *

City of San Jose

Support Policy 12.

As a general policy this is appropriate, but the larger concern is with materials and energy recovery. Source separation is to be encouraged where it contributes to resource recovery. In the case of a large scale public resource recovery project, ownership of the waste stream is important. Source separation should not work to reduce the volume of recoverable material in such instances.

Cost effectiveness should be a consideration in any source separation program.

* * * * *

ABAG Staff Response

At present, there are very few office paper recycling programs established by regional agencies and local governments. Therefore the proposed wording is not appropriate.

The resolutions would encourage involvement in existing programs and new programs.

Implementation of 12.1 should be a cooperative effort between ABAG and the SSWMB. Local governments and all regional agencies, including ABAG, are the responsible agencies for Action 12.3.

We concur. The phrase "where appropriate" will be added to Policy 12.

Solid Waste Policies and Actions

Policy 12 (cont'd)

Individual/Comment

BALIA

Under Action 12.1, change implementing agency responsibility from ABAG to State and Federal agencies.

Comment: While we concur in the intent of the proposed action to provide information and assistance on source separation, we believe these are implemented more effectively on a State and Federal level.

ABAG Staff Response

Will be changed to read "ABAG in cooperation with SSWMB."

We feel that Action 12.1 can be implemented most effectively on a State and regional level.

Solid Waste Policies and Actions

SW Policy 13: Adequate planning for hazardous waste management requires accurate data.

Individual/Comment

ABAG Staff Response

State Department of Health:

For the policy and action items 14.1 and 13.2 it would be more accurate to identify the Department of Health as the implementing Agency. It would be expected that there would be contractual arrangements with the regional or perhaps local agencies.

We concur.

Associated Building Industry of Northern California:

Funding is necessary for Policy 13.

We concur.

Add the words "in 1979" to Action 13.1

Surveys will be initiated in 1978. Completion date will be changed to 1979.

Delete Action 13.3 since it is already done.

Action 13.3 has never been done.

CRRRC:

Amend Actions 13.1, 13.2 and 13.3 to eliminate ABAG from the list of implementing agencies.

ABAG can provide assistance in implementing the actions and should not be eliminated from the list.

City of San Jose:

Support Policy 13 and Actions 13.1 and 13.2.

No response necessary.

Support Action 13.3 with modification.

Planning for disposal of hazardous wastes involves not just examination of the capacity of existing sites, but also whether existing sites are located in reasonable proximity to waste sources. Action 13.3 should be amended to reflect this concern.

Action 13.3 does not address the issue of locating new sites. Action 16.1 reflects the concerns expressed. See also response to Santa Clara County Planning Policy Committee.

SW Policy 13: (continued)

Individual/Comment

ABAG Staff Response

BALIA:

Rephrase Policy 13 to: Continue Data Collection and Planning for Hazardous Waste Management."

This is an action (covered by 13.1) not a policy.

Comment: These are existing programs which we believe are effectively managed. Rephrasing would reflect these facts.

Furthermore, we believe there needs to be a clarification of ABAG staff intent and involvement under Actions 13.1, 13.2 and 13.3. The current programs are supported by RCRA funds and clarification of responsibilities is necessary to avoid duplication of effort as is inferred by presently proposed Actions 13.1, 13.2, and 13.3.

See response to CRRC .

Solid Waste Policies and Actions

SW Policy 14: Waste reduction, source separation, and recovery of hazardous industrial wastes should be promoted in the interest of limiting land disposal.

Individual/Comment

ABAG Staff Response

State Department of Health:

Regarding the policy 14 and all actions, the Department will provide a plan, approach and incentives for resource recovery as indicated by State law. Consequently, policy and action items under 14 should be those of the Department.

The State Department of Health is clearly indicated as the primary responsible agency under Actions 14.1 to 14.4.

Associated Building Industry of Northern California:

Change the wording "should be" to "is" in Policy 14.

The wording "should be" is more appropriate for a policy statement.

Add the phrase "via tax incentives" to Actions 14.1, 14.2 and 14.3.

Tax incentive is not the only mechanism to achieve Action 14.1, 14.2 and 14.3.

Delete Action 14.4 since it is already done.

We disagree. Some work has been done, more is needed.

CRRC:

Amend Actions 14.1, 14.2 and 14.2 and 14.4 to eliminate ABAG from the list of implementing agencies.

ABAG can provide assistance in implementing the actions and should not be eliminated from the list.

City of San Jose:

Support Policy 14 and Actions 14.1 to 14.4.

No response needed.

The comment on Policy 12 applies here also: Source separation should not result in reduced volumes of recoverable materials for resource /energy recovery projects. Also, as with Policy 12, cost effectiveness should influence the application of the policy.

Staff concur.

Individual/Comment

BALIA:

Clarify ABAG staff intent under proposed Actions 14.1, 14.2, 14.3 and 14.4.

Comment: We are uncertain of ABAG's role in these actions as they are ongoing efforts of statewide concern. ABAG should be deleted as an implementing agency to avoid unnecessary duplication of effort.

We would also encourage adopting a general policy which would provide for sufficient time to allow for development of benefits from recently enacted legislation. Premature changes in these programs could result in unnecessary and potentially costly effects to the entire community.

ABAG Staff Response

See comments of State Department of Health, above, and response to CRRC.

No changes in recently enacted programs are proposed.

Solid Waste Policies and Actions

SW Policy 15: Regulations to ensure safe and proper handling of hazardous wastes.

Individual/Comment

Associated Building Industry of Northern California:

Modify Policy 15 to read "Continue to ensure safe and proper handling of hazardous wastes."

Modify Actions 15.1, 15.2, 15.3 and 15.5 to add the words "Continue to" at the beginning of the sentence.

Add the phrase "via existing regulatory agencies" to Action 15.6.

Add the phrase "if appropriate" to Action 15.4.

Delete Action 15.7 since it is a State concern.

CRRC:

Amend Action 15.6 to indicate that a "permit and monitoring" system for hazardous waste sites is already in effect.

ABAG Staff Response

The proposed wording is inappropriate since the intent of the policy is to ensure safe and proper handling of hazardous wastes through enforcement of regulations.

The proposed wording is inappropriate since many of the regulations have not been fully developed under RCRA.

The phrase is not necessary since the responsible agencies listed are clearly existing regulatory agencies.

The phrase is not needed since specific actions are included in the general description.

Action 15.7 is a State and Federal concern, and State legislature and U.S. Congress are listed as the responsible agencies.

Action 15.6 is for on-site disposal and not for Class I sites.

Individual/Comment

City of San Jose:

Modify Policy 15. Support Actions 15.1 to 15.7. An important element of safe handling of hazardous wastes involves their safe transport from source to disposal or recovery site. An additional action statement is needed to reflect this concern. Action 15.4 speaks only to procedures to be employed after a spill has occurred. There should be at least as much attention given to preventing spills before they occur, particularly inasmuch as hazardous materials are routinely being transported on busy highways and through urban areas.

BALIA:

Rephrase Policy 15 to: "Regulations should continue to ensure safe and proper handling of hazardous wastes."

Delete Action 15.7.

Comment: The stated intent of Action 15.7 is to "ensure funding". In our judgment the cost of \$232,000/year is excessive for what appears to be a lobbying effort by ABAG.

We would also point out that the public cost of \$232,000 per year for the time period of 1979-2000 should total \$4,872,000 rather than the \$2,700,000 indicated in the draft.

We would also raise the question as to whether or not the type of lobbying effort proposed under Action 15.7 is an appropriate role for ABAG. We recommend further debate on this issue.

ABAG Staff Response

See response to Santa Clara County Planning Policy Committee.

See response to Associated Building Industry of Northern California.

The general description of Action 15.7 clearly indicates that the intent of the action is "to ensure stable funding for adequate enforcement of existing regulations by State Department of Health and Counties, as appropriated under RCRA and AB 1593 (1977)." The annual cost shown is for enforcement not for lobbying effort.

In order to avoid further confusion, Action 15.7 will be modified to read, "Provide funding for adequate enforcement."

As far as the cost is concerned, it was estimated that the required funding for adequate enforcement would be about \$300,000 per year for the period of

Individual/Comment

BALIA: (continued)

ABAG Staff Response

1981-2000. The present discounted value (1977) was then calculated to be \$2,700,000. The average annualized cost of \$2,700,000 for the period of 1978 to 2000 is in fact \$232,000 per year as indicated.

See also discussion of cost estimates on page V-29.

Solid Waste Policies and Actions

SW Policy 16: Future Class I disposal sites and facilities should be located so that they do not have adverse effects on human health and safety, air and water quality, wildlife critical environmental resources and urbanized areas.

Individual/Comment

ABAG Staff Response

City of Daly City:

It is recommended that ABAG should play a stronger role than is presently recommended in Policy 16 and Action 16.1.

The responsible agencies for Action 16.1 will be changed to read, "affected local jurisdiction(s) to be assisted by ABAG, if requested.

City of Menlo Park:

See comments from the City of Daly City.

See response to City of Daly City.

Associated Building Industry of Northern California:

Modify Policy 16 to read, "future Class I disposal sites and facilities should continue to be located...".

The proposed wording is inappropriate since it implies that existing sites have not had adverse effects on the environment.

Accept Action 16.1 and change the implementing agencies to state agencies.

Local agencies would be more appropriate as responsible agencies since land use decisions are a local decision. Assistance, when requested, will be provided by ABAG and State agencies.

CRRC:

Amend Policy Statement 16 to read "Future Class I disposal sites and facilities should be located to minimize adverse impacts on the environment, and human health and safety."

The proposed rewording is inappropriate since it implies that adverse impacts would be acceptable if they have been minimized.

City of San Jose:

Support Policy 16 and Action 16.1.

No response needed.

Solid Waste Policies and Actions

SW Policy 17: A regional plan for long-term wastewater solids management should be prepared and updated.

Individual/Comment

ABAG Staff Response

Associated Building Industry of Northern California:

Modify Policy 17 to read "County plans for long-term wastewater solids management should be prepared and updated." A major regional solution is not cost-effective or desirable.

See response to Contra Costa County Planning Department.

Delete Actions 17.1 and 17.2.

CRRC:

Amend Action 17.2 to eliminate ABAG as implementing agency and substitute appropriate state and local agencies.

SB 424 (1977) requires ABAG to update the regional plan.

City of San Jose:

Support Policy 17 and Actions 17.1 and 17.2.

No response needed.

BALIA:

Rephrase Policy 17 to: "Continue to Develop a Plan for Long-Term Wastewater Solids Management."

This is an action, not a policy.

Comment: Rephrasing would reflect the program which is already in progress in the Bay Area. Furthermore, we are somewhat uncertain how to update a plan which does not yet exist. Therefore, we recommend deleting Action 17.2 (p. V - 64) and the term "updated" in the policy title.

The regional wastewater solids plan, being developed by the San Francisco Bay Region Wastewater Solids Study will be incorporated into the regional plan upon completion in the near future. It will be updated as part of the EMP thereafter.

Solid Waste Policies and Actions

SW Policy 18: Facilities for wastewater solids management should be constructed in conformance with the regional wastewater solids plan and the Environmental Management Plan (208 plan).

Individual/Comment

ABAG Staff Response

Associated Building Industry of Northern California:

Modify Policy 18 to read, "Facilities for wastewater solids management should be constructed in conformance with County standards and plans."

See response to Contra Costa County Planning Department.

Delete Actions 18.1 and 18.2.

Modify Action 18.4 to read, "Obtain funding for counties for construction of wastewater solids management facilities (Step 3).

Facilities planning, design and construction are clearly the responsibility of wastewater management agencies.

CRRRC:

Amend Action 18.2 to eliminate ABAG as implementing agency and substitute therefore the appropriate state and local agencies.

ABAG is the appropriate agency, authorized by FWPCA section 208 and Office of Management and Budget Circular A-95.

City of San Jose:

Support Policy 18 and Actions 18.1 to 18.4.

No response needed.

BALIA:

Rephrase Policy 18 and Action 18.1 to reflect these are existing programs.

Policy 18 is appropriate since it deals with continuing activities. Schedule for Action 18.1 indicates that the facilities plan will be completed by December, 1978.

Comment: Preparation of these plans are legally mandated and are in progress.

We further recommend deleting ABAG as one of the implementing agencies under Action 18.2 (p. V-66). In our opinion, ABAG review would be an unnecessary duplication of effort.

See response to CRRRC.

Individual/Comment

BALIA (continued)

Correct errors in Action 18.4.

Comment: Under the column entitled "Implementing Agency" there is a reference to "Action 21.1" which we are unable to identify.

We would also point out that there is a great deal of uncertainty over the availability of Federal and State funds for these projects. The proposals should identify these uncertainties and the discussion in the main text should consider the effect on the Solid Waste Management Plan aspects of the EMP for failure to secure adequate funding.

ABAG Staff Response

This is a typo. from a previous draft. The number will be changed to 18.1.

The 1977 Clean *Water Act* should provide adequate funding.

SOLID WASTE COMMENTS AND RESPONSES

March 9, 1978 to
March 31, 1978

Solid Waste Policies and Actions - Comments Not Specific to Policies and Actions

Individual/Comment

ABAG Staff Response

Solano County

The Solid Waste Element of the Environmental Management Plan shall include as policy and action items only those policies and actions that support the role of counties in implementing county solid waste management plans as currently provided in State law. ABAG's role shall be limited to involvement in issues of regional significance only.

The intent of the solid waste management plan is to address 208 requirements and regional issues identified in county plans, and to assist counties in county plan implementation. A table will be added to the plan narrative to indicate the relationships between the recommended actions and the regional issues.

City and County of San Francisco

No response needed.

The EMTF Solid Waste Management Plan should be endorsed and supported.

City of Livermore

The City of Livermore recommends approval of the draft Solid Waste Management Plan with incorporation of certain amendments and changes.

See response to the proposed amendments and changes under Policies.

City of Pleasanton

No recommended changes

No response needed.

San Mateo County City Managers' Association
via R.D. Martin of the City of Burlingame.

No recommended revision. Support as is.

No response needed.

Solid Waste Policies and Actions - Comments Not Specific to Policies and Actions

Individual/Comment

California Public Interest Research Group

We are deeply concerned that the Water Quality, Air Quality, and Solid Waste Management Sections contain no references to the numerous nuclear facilities in the Bay Area that are licensed to handle radioactive materials.

City of Gilroy

Gilroy currently has the use of a sanitary cut and fill dump that can provide for this area's needs, assuming no infringement by North Santa Clara County jurisdictions, for the next thirty (30) for (40) years. The Plan should reflect such a long-term refuse disposal solution for our area and recommend it be conserved strictly for the use of the Gilroy area.

The Gilroy area, for the foreseeable future, will produce a very nominal amount of recyclable refuse materials. This limitation will make it highly uneconomical to establish a recycling facility here for some years. Some minimum volume of recyclable materials should be established before requiring recycling in rural areas.

ABAG Staff Response

We agree that the handling and disposal of radioactive materials is an issue. However, under the existing mandate, we cannot examine this issue in our Environmental Management Plan. A statement of the issue can be included in the Solid Waste Plan narrative.

The regional plan can only address regional issues identified in the county plans.

The regional plan does not impose any requirements for recycling at the local level.

Solid Waste Policies and Actions - Comments Not Specific to Policies and Actions

Individual/Comment

ABAG Staff Response

San Leandro Manufacturer's Association

Utilizing presently available technology and proven methods, emphasis on resource recovery and production of Refuse Derived Fuels to minimize land fill should be the major goal of this part of the plan.

We do not believe that any public body should be involved in determining how to package commercial goods in the market place. This would create risk of damage to goods wasting even more valuable resources than the benefit to be gained by reducing the packaging material.

Policy 3 states that the regional solid waste management plan should focus on multi-jurisdictional projects for waste reduction and recovery of materials and energy from solid waste.

The plan does not determine the packaging of commercial goods in the market place. It only calls for the federal and state governments to change manufacturing standards and regulations where appropriate in order to reduce waste.

State Office of Planning and Research

ABAG's regional Solid Waste Management Element of the Environmental Management Plan combines the problems and recommendations of nine separate county planning efforts into one overall regional framework. However, because of the way that the recommendations are presented, it is unclear which are portions of other planning efforts that have already gone through public review and adoption and which were developed from issues identified in the county plans as regional concerns to be addressed by ABAG. The Plan should clearly identify those recommendations that are adopted from other planning efforts.

A table will be added to the narrative portion of the plan to try to clarify the relationship between the recommended actions and the identified regional issues.

Solid Waste Policies and Actions - Comments Not Specific to Policies and Actions

Individual/Comment

ABAG Staff Response

State Office of Planning and Research (continued)

Additionally, the degree of coordination between this element and the Bay Area Solid Waste Management Project conducted by the State Solid Waste Management Board is unclear. The Plan should identify where overlaps occur, how the programs are mutually supportive, and how the programs will be coordinated in the future.

The revision of the plan narrative will try to clarify the relationship between the plan and the BASWMP.

The "Summary Description of Plan Recommendations" identifies the Bay Area's basic solid waste management problem as "burying most of our wastes in landfills instead of conserving and recovering materials and energy from wastes." We agree that this is the basic problem. The Plan should also note that the problem is compounded by the Bay Area's depletion of landfill space, and that as local jurisdictions run out of this space, disposal becomes a regional rather than a local issue.

The plan narrative can be revised to indicate that the depletion of landfill space could become a regional issue.

State Solid Waste Management Board to the State Clearinghouse

Although mention is made that "air quality controls often convert air pollutants to water pollutants" (see page VII-6), no discussion is offered to: a) quantify such effects, or b) to relate them to the solids in sludges the result from water pollution control.

It would be difficult to make accurate estimates. However, it was partially done in one of the Solid Waste Tech Memos.

Solid Waste Policies and Actions

SW Policy 1: The regional Solid Waste Management Plan should primarily be based on the County Solid Waste Management Plans, coordinated with state planning, and integrated with areawide environmental management planning; primary responsibility for adequate solid waste management shall rest with local governments.

Individual/Comment

California Refuse Removal Council (CRRC), Northern District

Amend the various Actions under Policy 1 and substitute the State Solid Waste Management Board for ABAG.

This policy statement standing alone is unobjectionable; however, Revised Action 1.2 provides ABAG is the responsible agency to coordinate the regional plan with state and areawide planning. CRRC recommends that ABAG be eliminated as the responsible agency and the State Solid Waste Management Board be substituted therefor. This recommendation, which is fundamental to the position articulated throughout these comments, is based upon a desire to forestall the creation of further regional involvement in solid waste management.

It is the position of CRRC, Northern District, that regional planning should and can be carried out by the State in conjunction with local government, and that there is no demonstrated need for imposing another level of regional government on a process that is already capably performed by state and local governmental agencies.

ABAG Staff Response

Such an amendment would be contrary to federal and state laws.

ABAG is mandated to perform the actions described under 1.2, by: FWPCA Section 208; SB 424; SSWMB Resolution 76-38.

Regional planning should be carried out by a regional agency in conjunction with the State and local governments. In order to satisfy requirements of the Federal Resource Conservation and Recovery Act of 1976, the State Solid Waste Management Board has proposed regulations to identify agencies responsible for solid waste planning. The Board proposes that ABAG be responsible for regional planning in the nine county Bay Area.

SW Policy 1 (Continued)

Individual/Comment

CRRC (continued)

It is our view, however, that while ABAG is mandated to initially prepare the plan, SB 424 does not mandate that ABAG perform the annual update of the Bay Area Solid Waste Management Plan. That is there is no mandate in SB 424 which requires that ABAG be the agency which provides the regional updating of the plan after it is initially adopted. That function, we submit, should be performed by the State Solid Waste Management Board. Further, 42 USCS, Section 6946 requires that Governor of each state to identify regions within that state which are appropriate for carrying out regional solid waste management. It is important to note the federal law does not mandate the creation of regional planning agencies, rather it only mandates that there be regional planning. Such regional planning be performed by the state in cooperation with local government.

City of Livermore

Update the regional plans to deal solely with regional solid waste management issues and to provide a regional educational role.

ABAG Staff Response

SB 424 does, in-fact mandate ABAG to update the regional solid waste management plan. Action 1.2 does not specify that the plan will be updated annually.
See comment on RCRA, above.

Under Action 1.2, the regional plan will only deal with regional issues, and public participation would be part of Actions 1.2, 6.2, 8.2, 10.4, and 12.3.

Solid Waste Policies and Actions

SW Policy 2: The amount of municipal wastes going to Bay Area landfills should be reduced by 30% by 1982, with emphasis on job-intensive, inexpensive, source separation/recycling measures. (New policy)

Individual/Comment

ABAG Staff Response

CRRC

Repeal Policy 2 or amend it to be contingent upon the ability of the secondary materials market to support recovery/recycling operations.

The ability to reduce the amount of municipal waste going to Bay Area landfills is related to the ability of the secondary materials market to support the activity and also other source reduction efforts.

The ability to reduce the amount of municipal waste going to Bay Area landfills is directly related to the ability of the secondary materials market to support the activity. The current market conditions will not support existing recovery efforts. One ferrous metals recovery plant in San Francisco has closed down this month (March 1978) because the market will not support its operation. Absent governmental subsidies or other market incentives, the economics of the situation won't permit the attainment of this policy goal.

Actions 6.1, 6.2, 7.1, 7.2, 8.1, 8.2, 9.1, 9.2, 10.1, 10.2, 10.3, and 10.4 will support the attainment of this policy goal.

City of Livermore

Adopt the 25% waste reduction goals applicable to the counties as a regional goal.

The EMTF recommended a goal of 30% reduction by 1982.

Solid Waste Policies and Actions

SW Policy 3: The regional Solid Waste Management Plan should focus on multi-jurisdictional projects for waste reduction and recovery of materials and energy from solid waste.

Individual/Comment

ABAG Staff Response

CRRC

Amend the actions under Policy 3 to eliminate ABAG as the responsible agency and substitute therefor, the State Solid Waste Management Board.

To the extent that this policy statement and the actions thereunder propose focusing attention on enhancing the technology of large scale resource recovery and energy recovery systems, this is a very constructive suggestion.

* * * * *

CITY OF LIVERMORE

Action 3.1: Develop information needed for resource recovery planning through studies and demonstration projects, such as:

- a. Air quality, water quality and other environmental effects of large scale energy recovery systems.

Under Action 3.1, ABAG is required by the Office of Management and Budget Circular A-95 to review projects requesting federal assistance.

Under Action 3.2, EPA, SSWMB in conjunction with cities, counties and ABAG will develop additional information needed for resource recovery planning.

The EMTF recommended Action 3.2 which has a very similar list of activities.

Solid Waste Policies and Actions

SW Policy 3: The regional Solid Waste Management Plan should focus on multi-jurisdictional projects for waste reduction and recovery of materials and energy from solid waste.

Individual/Comment

ABAG Staff Response

CITY OF LIVERMORE, cont'd

- b. Technical feasibility as well as financial and social impacts of resource recovery projects. See above.
- c. Size and location of potential markets for the resources that are to be recovered.
- d. Costs and energy requirements for source separated and mechanically separated materials.
- e. Feasibility of cooperative arrangement among community recycling programs for transportation, warehousing, and marketing.
- f. Develop information on the most economical method for reducing wastes, including the study of source reduction.

Solid Waste Policies and Actions

SW Policy 4: All solid waste disposal sites must be situated, designed, operated and eventually closed down in proper manner to provide protection to the surface and ground water quality and the natural environment as well as protection of public health and safety.

Individual/Comment

ABAG Staff Response

CRRC

Amend Policy Statement 4 to eliminate the phrase, "and eventually closed down in a proper manner."

Proper closure of landfill sites is a very important aspect of solid waste management. The Regional Water Quality Control Board adopted the "Minimum Criteria for Proper Closure of Class II Solid Waste Disposal Sites" on July 19, 1977.

The unequivocal statement that, "all solid waste disposal sites must be . . . eventually closed down in a proper manner. . ." simply ignores the fact that we may always have a need for some landfill sites in the Bay Area counties.

The phrase "eventually closed down in a proper manner" does not mean that all landfill sites will be phased out in the future. It only means that all existing and future sites should have proper closure when they are no longer in operation.

Solid Waste Policies and Actions

SW Policy 5: Where possible, the existing permit process should be improved to facilitate the implementation of large-scale energy recovery projects.

Individual/Comment

ABAG Staff Response

CRRC

Amend the actions under this policy statement to provide simply that permit process coordination should be provided by the State Solid Waste Management Board on a case by case basis as the need arises.

Action 5.1 does not involve ABAG. Under Action 5.2 ABAG will collect and make available information on existing permit procedures. Since there are a number of regional permitting agencies such as BCDC, BAAPCD, and RWQCB in the Bay Area, and ABAG has or will have agreements with all of them covering coordination of all actions including permit issuance, this action should be done at the regional level.

* * * * *

CITY OF FAIRFIELD

The plan should be modified by removing ABAG's role in assuring compliance with the EMP and in streamlining the permit process.

See response to CRRC.

Solid Waste Policies and Actions

SW Policy 6: Federal, State and local public education programs are essential to promote awareness of the feasibility and need for waste reduction. (Previously Policy 8)

Individual/Comment

ABAG Staff Response

CRRC

Amend the actions under this policy statement to eliminate ABAG as the responsible agency.

Action 6.1 does not involve ABAG directly.

Action 6.2 would involve ABAG only if it is so delegated by the SSWMB.

* * * * *

CITY OF NOVATO Planning Department Staff and the Planning Commission

Action 8.1 was retained and renumbered Action 6.1: "Federal and State governments should make funds available to support education programs for promoting waste reduction."
Staff recommends adding 'and local' after 'state.'

We feel that such programs should be funded by State and federal governments to supplement local efforts.

Solid Waste Policies and Actions

SW Policy 7: Federal, State and local governments should adopt legislative and administrative changes which promote waste reduction, where appropriate. (Previously Policy 9)

Individual/Comment

CRRC

Eliminate the legislative advocacy function for ABAG contained in Action 6.2.

It is our observation that it is difficult, if not impossible, to perform a legislative advocacy function for such a diverse group (as ABAG).

* * * * *

CITY OF NOVATO Planning Department Staff and the Planning Commission

Add a new Action 7.3: "Cities and counties adopt ordinances which promote waste reduction by prohibiting the sale of nonreturnable glass beverage containers or requiring a deposit on beverage containers."

ABAG Staff Response

One of ABAG's major functions on behalf of its member governments is advocacy. The agency has often rallied its diverse constituency to support or oppose legislation that affects local governments in the Bay Area.

We feel that laws of this type would be more effective and equitable on a statewide or national basis.

Solid Waste Policies and Actions

SW Policy 8: Facilitate regionwide cooperation in developing stable, adequate markets for secondary materials. (Previously Policy 10)

Individual/Comment

ABAG Staff Response

CRRC

Eliminate specification of ABAG as a coordinating agency.

Actions 8.1 and 8.2 will be done by SSWMB in cooperation with ABAG. Regional coordination is essential in the development of stable and adequate markets for secondary materials since the activity not only involves potential buyers but also recyclers in the region.

We still hold to the view that this function, if it is to be performed at all, is uniquely suited to the state. There are no artificial regional boundaries in the development of stable and adequate markets for secondary materials.

Solid Waste Policies and Actions

SW Policy 9: Federal, State and local governments should adopt legislative and administrative changes to eliminate the price differentials between primary and secondary materials and products made from them. (Previously Policy 11)

Individual/Comment

CRRC

Because the ABAG staff response to our prior comments regarding this policy indicate that ABAG's involvement under Action 8.2 is only to establish their own preferential policies, we have no objection.

ABAG Staff Response

No response needed.

Solid Waste Policies and Actions

SW Policy 10: All levels of governments should encourage development of source separation programs, where appropriate. (Previously Policy 12)

Individual/Comment

ABAG Staff Response

CRRC

Amend Action 10.1 to provide the State Solid Waste Management Board as the responsible agency.

Action 10.1 thereunder provides that ABAG is the responsible agency to provide information and assistance on source separation. We still don't see any justification for ABAG's performance of this function.

ABAG can and should provide information and assistance to its member governments, especially information regarding available sources of funding for source separation programs. The SSWMB has no such obligation.

Solid Waste Policies and Actions

SW Policy 11: Adequate planning for hazardous waste management requires accurate data. (Previously Policy 13)

Individual/Comment

ABAG Staff Response

CRRC

As amended by the recommendations of the Environmental Management Task Force, we have no further objection to the actions under this policy statement because the responsibility for implementation now lies with the State Department of Health.

No response needed.

Solid Waste Policies and Actions

SW Policy 12: Hazardous industrial waste reduction, source separation, and recovery should be promoted in the interest of limiting land disposal. (Previously Policy 14)

Individual/Comment

ABAG Staff Response

CRRC

Because the responsible agency in the amended policy is the State Department of Health, we have no further objection to this policy statement or the actions thereunder.

No response needed.

Solid Waste Policies and Actions

SW Policy 13: Regulations should ensure safe and proper handling of hazardous wastes.
(Previously Policy 15)

Individual/Comment

ABAG Staff Response

CRRC

Amend Action 13.6 to indicate that a permit monitoring system for hazardous waste sites is already in effect.

Action 13.6 is for on-site disposal of hazardous wastes. Many industries have their own disposal sites within their premises. The permit and monitoring system for on-site disposal is still in the developmental stage.

Solid Waste Policies and Actions

SW Policy 14: Future Class I disposal sites and facilities should be located so that they do not have adverse effects on human health and safety, air and water quality, wildlife, critical environmental resources and urbanized areas. (Previously Policy 16)

Individual/Comment

ABAG Staff Response

CRRC

Amend Policy Statement 14 to read "Future Class I disposal sites and facilities should be located to minimize adverse impacts on the environment, and human health and safety."

The proposed rewording is inappropriate since it implies that adverse impacts, particularly on human health and safety, would be acceptable if they have been minimized.

It is simply not possible to have "no adverse effects" on human health and safety, air and water quality, wildlife, etc.

Solid Waste Policies and Actions

SW Policy 15: The regional Wastewater Solids Study recommendations, when completed, should be integrated into local and regional Solid Waste Management Plans. (Previously Policy 17)

Individual/Comment

CRRC

Amend Action 15.2 to eliminate ABAG as a responsible agency. It appears the SWRCB and RWQCB, and other designated agencies, should have the expertise necessary to perform this function.

ABAG Staff Response

ABAG as the 208 agency has the responsibility to integrate the Wastewater Solids Study recommendations into the regional plan.

Solid Waste Policies and Actions

SW Policy 16: Facilities planning, design, and construction for Wastewater Solids Management should be accomplished by local wastewater management agencies in conformance with the County Solid Waste Management plans, the Environmental Management Plan (208 Plan) and Federal and State requirements. (Previously Policy 18)

Individual/Comment

ABAG Staff Response

CRRC

Limit the specification of ABAG as a responsible agency under Action 16.2 to its 208 agency function.

Since almost all of the proposed facilities will receive federal funding, ABAG is required by the Office of Management and Budget Circular A-95 to review and comment on the consistency with comprehensive regional planning of all applications for federal grants under more than 200 federal programs, including waste treatment facilities.

AIR QUALITY PLAN COMMENTS

January 3, 1978 to
March 8, 1978

STAFF RESPONSES TO MAJOR AQMP ISSUES

1. SHOULD THE CONCEPTS OF "LOWEST ACHIEVABLE EMISSION RATE (LAER)" FOR NEW STATIONARY SOURCES AND "REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT)" FOR EXISTING SOURCES BE SUBSTITUTED FOR "BEST AVAILABLE CONTROL TECHNOLOGY (BACT)" FOR NEW AND EXISTING SOURCES?

A variety of phrases have been developed to describe levels of technology to be required for emission control for stationary sources. By themselves, the various phrases (best available control technology, BACT, reasonably available control technology, RACT, and lowest achievable emission rate, LAER) and their associated definitions are similar to one another. The Environmental Protection Agency is preparing more detailed information concerning precisely which technologies are considered "best", and which are considered "reasonable." The California Air Resources Board may, in turn, develop it's own definitions in terms of specific technologies. For the purposes of the Air Quality Maintenance Plan, BACT was defined as technology "known and proven in use, not necessarily in the Bay Area." To avoid misunderstanding on precisely this point, the AQMP also identified the nature of the technologies presumed to represent BACT. In order to avoid further semantic difficulties, alternative phrasing for this action has been developed.

2. SHOULD A MANDATORY ANNUAL INSPECTION-MAINTENANCE PROGRAM BE IMPLEMENTED IN THE BAY AREA FOR AUTOMOBILES? FOR HEAVY-DUTY VEHICLES?

A mandatory annual vehicle inspection and maintenance program would provide substantial emission reduction benefits. The latest tests conducted by both the Environmental Protection Agency and the California Air Resources Board indicate that the performance of vehicle emission control equipment deteriorates rapidly after they are sold due to poor or improper maintenance and purposeful tampering. Vehicles operated in this manner can emit from two to ten times the amount of pollutants that they were originally designed to emit. Since heavy duty trucks are now scheduled to comply with increasingly stringent emission standards, their inspection and maintenance in future years will also provide substantial emission reduction benefits. In addition, the 1977 Clean Air Act Amendments stipulate that one of the conditions for granting a five-year delay (from 1982 to 1987) to achieve oxidant and carbon monoxide standards is that an inspection-maintenance program be implemented.

3. SHOULD A HEAVY-DUTY GASOLINE VEHICLE EXHAUST RETROFIT PROGRAM BE IMPLEMENTED IN THE BAY AREA?

The retrofitting of post-1971 heavy duty gasoline trucks with oxidizing catalysts would provide substantial emission reductions toward attainment of the oxidant standard by 1987. Retrofitting of trucks is more effective than retrofitting automobiles because trucks emit larger quantities of pollutants per mile driven, and they have a longer useful life. Despite the fact that increasingly stringent emission standards for new trucks are scheduled for implementation over the next several years, the full effects of that program will not be realized for 15 to 20 years.

4. SHOULD CLOSED SYSTEM AND VACUUM ASSIST BE INCLUDED IN THE PLAN?

Two of the technologies identified as "best" in the AQMP are closed systems for storage and secondary vapor recovery for transfer of organic liquids. Since these technologies were originally identified additional data has been

developed which indicate that devices known as "secondary seals" will be as effective as closed systems at a fraction of the cost. Second stage vapor recovery would represent a 95% control efficiency compared to the 90% requirement currently in the Bay Area Air Pollution Control District's regulations.

5. WHAT ARE THE UNCERTAINTIES IN THE EMISSION INVENTORIES, PROJECTIONS, AND CONTROL STRATEGY EFFECTIVENESS ESTIMATES?

Developing emission inventories is as much an art as it is a science. The inventories used in the draft AQMP represent the best engineering estimates possible at the time the inventories were prepared. Certainly they are among the most detailed and accurate inventories available in the country.

The draft AQMP explicitly acknowledges the uncertainties involved in compiling emission inventories (Chapter VI-Section 4). These uncertainties can lead to both over-predicting and under-predicting the control strategies needed to meet air quality goals. Nevertheless, developing emission inventories is a necessary step to preparing any control plans. To deal with uncertainty, the plan indicates

"As subsequent AQMP updates are prepared, these assumptions need to be reviewed. New information and/or circumstances should be incorporated into AQMP updates."

Uncertainty in Projections. Again, the draft AQMP clearly states that uncertainties are inherent in performing projections. However, Federal regulations for preparing air quality maintenance plans require that projections be made. These projections are a necessary step of any plan which numerically demonstrates attainment and maintenance of air quality standards.

To deal with uncertainty, more frequent projections are called for to reflect changing conditions and new information. This approach is supported by the staff. Updates to the AQMP will reflect more recent data and revised projections.

Uncertainties in Control Strategy Effectiveness Estimates. Estimates of effectiveness of control strategies which have not yet been implemented will always contain inherent uncertainties. The nature of "best available control technology" will vary from expert to expert, from agency to agency, and will certainly change during the 25 year period covered by the plan. Moreover, the multitude of source types and sizes, complexity of process, and status of control at the initiation of the proposed changes necessitate that an approach using "best engineering judgment" be used. In exercising such judgment in the AQMP, a wide variety of experts and information sources were consulted.

6. SHOULD BRIDGE TOLL INCREASES BE USED TO A) DISCOURAGE PRIVATE AUTO USE AND B) GENERATE REVENUES FOR TRANSIT?

The primary purpose of the proposed bridge toll increase is to generate additional revenues to help finance the proposed transit service improvements. The toll increase is structured to encourage carpools. It may also act as a disincentive to private auto use.

7. SHOULD A REGIONAL PARKING TAX AT PUBLIC PARKING FACILITIES DURING PEAK HOURS BE USED TO A) DISCOURAGE PRIVATE AUTO USE AND B) GENERATE REVENUES FOR TRANSIT?

The primary purpose of the proposed regional parking tax is to generate additional revenues to help finance the proposed transit service improvements. The parking tax is structured to impact commuters while having no effect on mid-day shoppers and other users of parking facilities.

8. HOW MUCH ADDITIONAL TRANSIT SERVICE SHOULD BE PROVIDED TO REDUCE VEHICLE MILES TRAVELLED THROUGHOUT THE REGION? HOW SHOULD THE ADDITIONAL LEVELS OF TRANSIT BE FINANCED?

The level and quality of transit service in the region is substantially limited by the amount of available financial resources. In concept, there is no limit to the amount of transit service which could be provided, given adequate resources. As a practical matter, the amount of financial resources available largely determines the level of service provided. For the AQMP, a goal of a 20% increase in transit service regionwide by 1985 was assumed to be realistically achievable.

9. SHOULD AN AUTO CONTROL ZONE BE IMPLEMENTED IN DOWNTOWN SAN FRANCISCO OR IN OTHER LOCATIONS AS WELL?

A specific commitment would be needed from the City and County of San Francisco to implement this measure. San Francisco has applied for and received a grant to examine this proposal in detail during 1978-79. Pending the results of this study and actions by elected officials in San Francisco, this action may be adopted in 1979. Other Bay Area locations which might consider such a concept would need to go through a similar evaluation and decision making process in order to implement the auto control zone.

10. SHOULD DEVELOPMENT CONTROLS/LAND USE MANAGEMENT PROGRAMS BE INCLUDED IN THE PLAN?

Combined with transportation measures, the development controls are projected to decrease hydrocarbon emissions by some 24 tons/day in 2000. Without such emission reductions as part of the long term maintenance measures, even stricter controls would have to be imposed on industries and motor vehicles. This may, for example, mean even tighter controls for the existing industries or precluding industrial growth for new sources attempting to locate in the Bay Area. Again, if measures are eliminated from the AQMP, other measures need to be added to achieve the same emissions reduction.

11. SHOULD DEVELOPMENT CONTROLS/LAND USE MANAGEMENT PROGRAMS BE GENERALLY ACCEPTED AS GUIDELINES AND DEFERRED FOR MORE DETAILED EVALUATION IN THE CONTINUING PLANNING PROCESS?

The land use management programs are part of a long term maintenance strategy. They are not necessary for attainment (or, meeting) of the oxidant standard. However, to take credit for the emissions reduced from these programs in the AQMP, the measures must be identified. No actions are required in these programs prior to 1982 when the State Implementation Plan is scheduled for an update. Therefore, it would be permissible to identify the development controls as needed in a long term maintenance strategy and defer them to the continuing planning process for closer evaluation.

12. SHOULD A PHASED APPROACH TO IMPLEMENTATION BE ADOPTED TO ACCOMMODATE UNCERTAINTY (I.E. IN THE ANALYSIS, PROJECTIONS, STANDARDS)?

The draft AQMP as currently written is intended for phased adoption and implementation. It identifies technological controls on stationary and mobile sources as most effective and to be implemented as quickly as possible. Adopting these measures would result in meeting the oxidant standard by 1985-87. These measures and transportation and land use measures would be needed to maintain the air quality standard beyond 1985-87. Because transportation and land use measures generally take longer to implement and because they are less cost-effective than technological approaches, their adoption and implementation is called for over a gradual period from 1979-2000.

13. SHOULD THE ADOPTION OF THE PLAN BE DEFERRED PENDING POSSIBLE CHANGE TO THE PHOTOCHEMICAL OXIDANT STANDARD, CURRENTLY UNDER EPA REVIEW?

The Clean Air Act of 1977 requires states to submit State Implementation Plans for non-attainment areas to EPA no later than January, 1979. Currently, no one is sure when or if EPA is going to change the oxidant standard. A more prudent approach would be to adopt an AQMP on the current schedule and to revise the plan next year in the annual update should the standard be changed. The region does face risks (such as withholding of Federal grants) if it does not have a plan adopted by January, 1979.

14. SHOULD THE AQMP BE SEPARATED FROM OTHER PARTS OF THE PLAN FOR MORE EXTENSIVE REVIEW AND APPROVAL?

The advantages to an integrated environmental management plan have been identified in the draft report. These include consistency of data, an assessment of one programs impacts on another, and an integrated decision-making process where a number of inter-related programs can be evaluated at one time in a comprehensive manner. These advantages would be lost if the AQMP were separated from the environmental management program.

15. CAN THE REQUIREMENTS OF THE CLEAN AIR ACT OF 1977 BE SATISFIED BY ADOPTING MEASURES THAT ARE LESS STRINGENT OR THAT ARE ON A LATER TIME SCHEDULE THAN PROPOSED IN THE DRAFT PLAN?

The analysis projects that approximately 450 tons/day of hydrocarbon emissions are allowable if the oxidant standard is to be met. Any combination of programs which can reduce emissions to these levels by 1987 is permissible. Stringency is a relative term and depends in part on the point of view of those affected. There does not appear to be much potential for fewer measures in the AQMP. However, the current adoption and implementation schedules could probably be modified somewhat and still meet the Federal Clean Air Act requirements.

16. SHOULDN'T CARBON MONOXIDE AND TOTAL SUSPENDED PARTICULATE CONTROLS BE INCLUDED IN THE PLAN?

Yes. They are currently scheduled as the first order of business for the continuing planning process. A tentative date of September 1978 is scheduled for completing the staff analysis of these problems and proposing measures to meet the Federal requirements.

DEFINITIONS OF BEST AVAILABLE CONTROL TECHNOLOGY (BACT), REASONABLY
AVAILABLE CONTROL TECHNOLOGY (RACT), AND LOWEST ACHIEVABLE EMISSION
RATE (LAER)

BEST AVAILABLE CONTROL TECHNOLOGY (BACT)

Clean Air Act Amendments of 1977:

The term "best available control technology" means an emission limitation based on the maximum degree of reduction of each pollutant subject to regulation under this Act emitted from or which results from any major emitting facility, which the permitting authority, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such facility through application of production processes and available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of each such pollutant. In no event shall application of "best available control technology" result in emissions of any pollutants which will exceed the emissions allowed by any applicable standard established pursuant to Section 111 or 112 of this Act.

BAAPCD Proposed New Source Review Rule:

"Best Available Control Technology for purposes of this section means control technology which is currently in use on existing sources or facilities and which achieves an emission rate of the controlled contaminant(s) that is at least as low as that achieved by any similarly proven technology."

CARB New Source Review Rule for the Bay Area:

"Best Available Control Technology" means the maximum degree of emission control for any air contaminant emitting equipment, taking into account technology which is known but not necessarily in use, provided that the Air Pollution Control Officer shall not interpret best available control technology to include a requirement which will result in the closing and elimination of or inability to construct a lawful business which could be operated with the application of the best available control technology currently in use.

REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT)

EPA ("Control of Volatile Organic Emissions from Existing Stationary Sources" Document):

"Reasonably Available Control Technology" is defined as the lowest emission limit that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility. It may require technology that has been applied to similar, but not necessarily identical, source categories. It is not intended that extensive research and development be conducted before a given control technology can be applied to the

source. This does not, however, preclude requiring a short-term evaluation program to permit the application of a given technology to a particular source.

LOWEST ACHIEVABLE EMISSION RATE (LAER)

Clean Air Act Amendments of 1977:

The term "lowest achievable emission rate" means for any source, that rate of emissions which reflects--

"(A) the most stringent emission limitation which is contained in the implementation plan of any State for such class or category of source, unless the owner or operator of the proposed source demonstrates that such limitations are not achievable, or

"(B) the most stringent emission limitation which is achieved in practice by such class or category of source, whichever is more stringent.

AIR QUALITY - COMMENTS NOT SPECIFIC TO POLICIES OR ACTIONS

INDIVIDUAL/COMMENT:

William C. Hern, Executive Director, Peninsula Manufacturers Association: "...we believe that local control of land use must be maintained."

Barry R. Horn, M.D., Associate Director, Pulmonary Medicine Department, Herrick Memorial Hospital:
"We strongly support the use of more stringent vehicle exhaust emission controls as well as an annual inspection program. However, with an expanding population it is obvious that acceptable levels of these pollutants will not be obtained without the proposed transportation controls and land use controls, and we strongly agree with their inclusion in the plan. We feel that the development of a comprehensive transportation system is essential to reduce reliance on the automobile, including bus and rail transit, and both need to be extensively improved..."

I believe that specific controls over particulate matter should be begun now....Another pollutant that is now dealt with at all in the present draft plan is sulfur dioxide...It is important to remember that little scientific information is available regarding the interaction of all these pollutants in the lung....Finally I am concerned that no specific goals of the air quality maintenance plan are stated. There are no specific recommendations regarding what will be considered acceptable levels of all the important air pollutants including the photochemical oxidants, carbon monoxide, hydrocarbons, total suspended particulate matter and sulfur dioxide."

STAFF RESPONSE:

In general, we agree. Control of land use, however, is already shared among local, regional and State agencies. The intent of the land use measures of the AQMP has been to retain as much local control as possible, although this intent has been widely misinterpreted.

Development of such measures would be considered during the continuing planning process.

AIR QUALITY - COMMENTS NOT SPECIFIC TO POLICIES OR ACTIONS

INDIVIDUAL/COMMENT:

F. E. Wilts, San Leandro Manufacturers' Association:
"The plan is unacceptable for the following reasons:
1. It reduces freedom of choice and action by individuals and local government far beyond any reasonable need. 2. The 'costs' of the plan are greatly understated by reason of the lack of any costs assigned to 'Land Use Controls.' 3. The benefits in emission reduction of both Transportation and Land Use Controls are only .5% of the total Air Quality Plan. 4. The benefits and/or costs in employment are not defined. 5. It fails to propose alternative technology development with appropriate timetables for pollution free individual transportation alternatives.

The plan should: "Identify the 'jobs' gain or lost impact of the final version of the AQMP. Within the EMP, recommend appropriate changes to Federal law in timetables, air standards and financial grants policy which will accommodate the revised AQMP...Within the ABAG budget, funds should be allocated for the monitoring of progress towards compliance with Federal Air Quality Standards of other major non-compliance areas of our nation, so that potential EPA sanctions on the Bay Area are equitable with those of other areas."

Bay Area League of Industrial Associations:
We endorse rationale for developing a plan to meet requirements for oxidant, deferring other pollutants to continuing planning process.

STAFF RESPONSE:

1. Reasonableness is a matter of Congressional as well as individual judgment. Congress determined it reasonable to require non-attainment areas to adopt all "reasonably available" controls to meet and maintain the oxidant standard. The control measures proposed in the draft plan would allow the region to meet the Congressional requirements.
2. Direct costs of implementing the land use and development measures in the AQMP are estimated in AQMP Technical Memorandum 15-Assessment/Evaluation Technical Memorandum 4, completed after the draft plan was published.
3. Transportation/development actions are estimated to be several times more than the one-half percent estimated by Mr. Wilts. Regardless of the exact number, unless other measures are substituted for transportation improvements and development measures, the region will not attain and maintain the air standard for photochemical oxidant.
4. Benefits and costs in employment are estimated in Chapter II of the EMP.
5. Technology development is not "proposed" per se in the plan. However, the requirement that the ARB call for an even 50 percent cleaner automobile engine can only force technological improvements. Merely calling for technological improvements without some regulatory incentive does not allow the region to estimate what emission reductions could be achieved.

Mr. Wilts' suggestion for a monitoring program for other regions to ensure equal treatment of the Bay Area is a good one.

None needed.

AIR QUALITY - COMMENTS NOT SPECIFIC TO POLICIES OR ACTIONS

INDIVIDUAL/COMMENT:

Bay Area League of Industrial Associations:
AQMP does not meet specific requirements of Clean Air Act as amended in 1977 or take full advantage of its provisions to minimize economic and social impacts. The AQMP is not flexible enough to allow for probably EPA oxidant standard revisions of other future changes after the AQMP becomes part of the SIP.

The AQMP as it now stands does not adequately describe major uncertainties related to achievable emission reductions and their costs, not does it allow flexibility to account for these uncertainties as they diminish due to further studies and monitoring.

Recommends two-phase approach to 1982 and 1987 Federal requirements. This would allow flexibility and would avoid any possibility that the SIP could not be changed; based on past experience "it is most likely that CARB, EPA or others through legal action will require implementation of all actions in the SIP." Maximum flexibility is essential because the oxidant standard may be change, and because the uncertainty of emissions and cost estimates. We specifically object to use of the discount rate of 6 3/8% for private costs. Private costs should be recalculated using a discount rate of 15% and equipment life between 10-15 years. These costs are commonly used to annualize costs of projects similar to those required by Actions 1-3 under stationary sources and routinely accepted by CARB and BAAPCD, and used by EPA.

Recommends more detail on CPP, specifically more LIRAQ runs and further analysis of emission reductions and associated costs related to actions taken during the first phase; a method to quickly update emission inventory to show what progress is being made; a method

STAFF RESPONSE:

Two-phased approach is being suggested by staff, although we have different opinions about which measures should be in first and second phases.

See response to AQMP major issue 5. Plan would be updated in the continuing planning process.

This discount rate is used in all plans.

We agree

AIR QUALITY - COMMENTS NOT SPECIFIC TO POLICIES OR ACTIONS

INDIVIDUAL/COMMENT:

STAFF RESPONSE:

Bay Area League of Industrial Associations (continued):

and schedule for conducting further study on the Phase 2 measures; and a formal procedure that will allow the technical community to provide input in the CPP. Specifically recommend that the TAC be restructured to give it official status that must be acknowledged and used by the CPP staff.

Regarding restructuring the TAC, if ABAG is designated as the lead agency for preparing updated air quality plan, ABAG Executive Board rules for committees must be followed. We acknowledge that the press of time in preparing the draft plan may have hampered the most effective use of the advisory committee. We hope this can be minimized in the CPP.

We also recommend further study of other pollutants and possible control measures during CPP.

We agree.

Oakland Chamber of Commerce: Recommends two-stage approach to preserve maximum feasibility and minimize economic and social impact of the AQMP. Recommends transportation and land use measures not be considered for adoption in the first stage because they are least cost effective and difficult to justify at this time.

See suggested modifications to accommodate the comments.

-4-

Recommends procedure for CPP being described in detail in the AQMP. Recommends that it explicitly contain a method to quickly and accurately update the emission inventory; a method and schedule for conducting further study on other measures identified in phase I that may be required after 1982 to attain the standard by 1987 and maintain it thereafter; further study of other pollutants and possible control measures that are needed in the future; a formal procedure that would allow local elected officials to provide regular input during the CPP; and that a technical advisory committee be officially designated, acknowledged and used by staff implementing the continuing planning process. CPP should also allow for revisions or other future changes after the AQMP becomes part of the SIP.

AIR QUALITY - COMMENTS NOT SPECIFIC TO POLICIES OR ACTIONS

INDIVIDUAL/COMMENT:

Peninsula Manufacturers Association: Supports recommendation of Bay Area Council for a two-phased approach to the air quality plan.

STAFF RESPONSE:

See comments above.

AIR QUALITY GENERAL POLICY I - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

INDIVIDUAL/COMMENT:

F. E. Wilts, San Leandro Manufacturers' Association:
Retain the Stationary Source measures.

San Jose Chamber of Commerce: "Stationary source controls...do not take into account economic and social factors. Air quality alone is the determinant. As more and more industry comes under the ever-tightening control programs of the Bay Area Air Pollution Control District, we will feel the impact.... We feel a more complete analysis of job impact is needed and we request that ABAG add such an analysis to the EIR."

San Mateo County Council of Mayors: Support all actions.

Planning Policy Committee of Santa Clara County:
"The PPC supports the basic policies of the stationary source controls...."

City of Santa Clara: Support all actions.

League of Women Voters of the Bay Area: "Support general policy to minimize hydrocarbon emissions from stationary sources...."

San Francisco Planning and Urban Renewal Association:
"SPUR strongly recommends that some combination of technology retrofit on existing stationary sources of pollution and an off-set procedure for proposed new sources of pollution be adopted which allows further economic growth to occur in the region."

City of Milpitas: "We generally support actions 1, 2 and 3, but would suggest that action 4 be modified by consideration of an economic trade-off approach...."

STAFF RESPONSE:

None needed.

Air quality standards are based on protection of public health. One method of reducing emissions is stationary source controls. The full range of their impacts (environmental, institutional, financial, economic & social) are identified on the plan recommendation tables, in the text of Volume I and in numerous technical memorandum. Detailed analysis of economic (employment) and social impacts of New Source Review Rule appears in a separate report. CEQA requires identification of adverse environmental effects; these effects are discussed in the Draft EIR. The full range of impacts appear with the recommendations in Vol.I
None needed.

None needed.

None needed.

None needed.

We agree. See staff suggested modifications for EMTF consideration.

See responses to Action 4 comments and suggested modification for EMTF consideration.

AIR QUALITY GENERAL POLICY I-COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS (continued)

INDIVIDUAL/COMMENT:

Town of Los Gatos: "These (measures) have significant and far reaching effects, but the proposed standards appear to be necessary in order to meet Federal standards and appear basically acceptable."

City of Morgan Hill: "The council is supportive of the Stationary Source Control as being the best method for obtaining most reduction in air pollution for the dollars spent."

Western Oil and Gas Association: Uncertainties of emission estimates, cost estimates and cost-benefit estimates must be recognized. Also submitted calculations for emission corrections suggested (38 pages).

Contra Costa County Board of Supervisors: "Conditionally accept the Action program. These are technical matters that should be responded to by industry and the Bay Area Council."

Bay Area Lung Associations, Citizens for a Better Environment, League of Women Voters of the Bay Area, National Resources Defense Council, People for Open Space, Sierra Club:

Revise General Policy I to read: "Minimize emissions of hydrocarbons, sulfur dioxide, and suspended particulate matter from stationary sources."

Add Action 5: Limit the concentration of sulfur dioxide emissions to 300 parts per million." Emission reductions of 40 tons/day in 1985 and 50 tons/day in 2000 are estimated.

STAFF RESPONSE:

None needed.

None needed.

None needed.

The Bay Area is not currently designated as a non-attainment area by EPA for sulfur dioxide; it is designated as a non-attainment area for suspended particulate matter in Alameda County only. Therefore, in the continuing planning process, controls for particulate matter in Alameda County need to be developed.

The Federal and State sulfur dioxide standards are currently being met in the Bay Area. The specific control cited cannot be justified now as necessary for maintaining the SO₂ standard in the Bay Area.

AIR QUALITY GENERAL POLICY I - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS (continued)

INDIVIDUAL/COMMENT:

Charles Kinney, Associated Building Industry:
Revise General Policy I to read "~~Minimize~~- Reduce hydrocarbon emissions from stationary sources if further controls necessary."

Industrial Siting Task Force, ABAG:
Add a new action 5 and renumber subsequent actions: "Utilize a regional industrial siting plan to serve as a basis for analyzing alternate sites, sizes, production processes and environmental control techniques." Add appropriate narrative language to indicate the substance of this action and its basis in Federal law, Clean Air Act Amendments of 1977.

Natural Resources Defense Council: "The recommended actions for hydrocarbon reduction are reasonable and adequate. We are concerned, however, about the failure to address other pollutants, particularly carbon monoxide, particulates and sulfur dioxide. We urge the Task Force to recognize these urgent problem areas and recommend actions to deal with them."

Rossmoor Residents Association, Inc.: "Agree essentially as proposed."

Bay Area League of Industrial Associations:
In addition to LAER (recommended as a modification of Action 3), the phase I program recommended must describe a process of industrial siting, i.e. specific NSR procedures that are not identified in the AQMP as it stands.

City of Cupertino: Supports all actions.

STAFF RESPONSE:

We disagree. Even industry recognizes that further controls are necessary.

We agree.

Carbon monoxide and particulate matter (in Alameda County) will be addressed as the first order of business in the continuing planning process. The Joint Technical Staff hopes to complete the technical analysis for these pollutants by September, 1978. Sulfur dioxide standards are not currently violated in the Bay Area.

None needed.

In a separately funded program, ABAG has been studying industrial siting. Two areas of concern to the Industrial Siting Task Force have been streamlining the current permitting process and establishing a process for new industry to locate in the Bay Area. This work will be incorporated into the AQMP in the continuing planning process.

None needed.

AIR QUALITY ~~GENERAL~~ POLICY I - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS (continued)

INDIVIDUAL/COMMENT:

Oakland Chamber of Commerce: Recommend that the rules that are adopted be consistent with the recently adopted regulations of the BAAPCD dealing with architectural coatings, secondary seals on floating roof storage tanks, and other similar regulations.

Bay Area Council: Recommend rewording policy as follows: "Reduce ~~Minimize~~ hydrocarbon emissions from stationary sources."

Canners League of California: We support a phased implementation program as suggested by the Bay Area League of Industrial Associations.

San Francisco Tomorrow: We are somewhat skeptical that the stationary sources are bigger polluters than mobile sources. Stationary sources are more easily policed and every effort should be made to quickly control stationary sources.

City of Newark: Recommend rewording policy as follows: "~~Minimize~~ Reduce hydrocarbon emissions from stationary sources."

Bay Area Lung Associations: Revise policy to read: "Minimize hydrocarbon, particulate and sulfur dioxide emissions...."

Supervisor Arnold Baptiste, Marin County:
Support all actions.

STAFF RESPONSE:

We agree.

We agree.

The AQMP as draft does imply a phased implementation program over time. This will be made more explicit in the final report.

The analysis does not support this skepticism. Mobile sources have been controlled since the 1960s and are becoming less of a problem with time even with their increased numbers and travel.

We agree.

See prior comments on particulate and sulfur dioxide emissions.

None needed.

AIR QUALITY ACTION 1: USE PAINTS AND OTHER COATINGS THAT ARE WATER BASED AND/OR HAVE A HIGH SOLIDS CONTENT.

INDIVIDUAL/COMMENT:

Gene Spitler, Chevron U.S.A.:
Action 1 is confusing because it is included in Action 3 on BACT.

Western Oil and Gas Association:
Action 1 should be deleted because it is included in Action 3.

Charles Kinney, Associated Building Industry:
Add to Action 1 the words "when technology permits." This is already done due to consumer preference.

I.H. Gilman, Chevron U.S.A.: Delete Action 1 because it is included in Action 3.

California Council for Environmental and Economic Balance: Delete as separate action and include in Action 3.

Santa Clara County Board of Supervisors:
Support.

City of Daly City: Support.

Bay Area League of Industrial Associations:
We generally agree with this action in the form being implemented now by CARB and BAAPCD. However we recommend its deletion because it is completely accounted for in action 3 or as amended by our suggestion.

Santa Clara County Planning Policy Committee:
Support.

San Mateo County Board of Supervisors: Support.

STAFF RESPONSE:

Actions 1, 2 and 3 will be reorganized to avoid the confusion cited.

See above.

Some of the technologies are here now. Others can be developed by the coatings industries.

See previous comments.

See previous comments.

None needed.

None needed.

None needed. See previous comments.

None needed.

None needed.

AIR QUALITY ACTION 1: USE PAINTS AND OTHER COATINGS THAT ARE WATER BASED (continued)

INDIVIDUAL/COMMENT:

Bay Area Council: Delete this action because AQMP documents indicate it is included in Action 3.

Canners League of California: Our industry is absolutely dependent on cans manufactured for preserving food and the immediate implementation of action 1 would force closure of facilities because satisfactory water base or high solids enamels are not currently available....we question whether or not this action would be technologically acceptable according to the Food and Drug Administration's regulatory requirements....We recommend that action 1 be deleted for food can manufacturers until technology develops an interior can enamel that meets the exacting requirements of food preservation and public safety.

San Francisco Tomorrow: The question of the application of water base paints over oil base paints needs to be considered. No comment needed.

City of Newark: Recommends deletion. No comment needed.

Councilman Fred Maggiora/Oakland City Staff: This policy will effect current painting programs such as street striping. No comment needed.

California Department of Transportation: This action is under study. "Presently we are trying out a water base finish coat and if a satisfactory system for our steel bridges is developed, we will initiate the phasing out of our present paint system. Naturally in any case we could phase out out present system, if directed, but with the existing non-hydrocarbon emission system our maintenance costs would increase." No comment needed.

STAFF RESPONSE:

See previous comments.

Initial application of this measure was primarily intended for architectural coatings where the technology currently exists for many applications. Industrial processes, such as can coatings, would not be affected initially. As such technologies are developed or appear to be feasible, they would be considered as well.

AIR QUALITY ACTION 2: USE CLOSED SYSTEMS FOR STORAGE AND TRANSFER OF ORGANIC LIQUIDS.

INDIVIDUAL/COMMENT:

Gene Spitler, Chevron U.S.A.: Action 2 is confusing. It is included in Action 3. It is inconsistent with action currently being considered by the BAAPCD. The District, with urging of the California Air Resources Board, favors an alternative approach, secondary seals on floating roof tanks, which can be achieved more expeditiously, will probably be just as effective, and will cost less. We strongly recommended that this action be retitled "Use improved vapor control systems for storage of organic liquids."

Western Oil and Gas Association: Action 2 should be deleted because it is included in Action 3.

Michael J. Dougherty, Union Oil Company: We recommend deletion of Action 2. Storage and transfer of organic liquids should be addressed under Action 3.

Charles Kinney, ABI: Add to Action 2 "...for new facilities."

I.H. Gilman, Chevron U.S.A.: Delete Action 2 because it is included in Action 3.

California Council for Environmental and Economic Balance: Delete as a separate action and include in Action 3. "Further, there is a serious question concerning the overall viability of action 2. It appears to be a very expensive measure for a very limited emission reduction over use of secondary seals....What is the incremental cost and emission reduction between floating roof, secondary seals and closed systems?"

STAFF RESPONSE:

We are aware of recent actions "urged" by the California Air Resources Board. This action will be deleted and included as a revised Action 3 to avoid the confusion cited. The revised action will identify the secondary seals approach generally favored for floating roof tanks.

See above.

See above.

This measure is intended primarily for existing floating roof tanks.

See previous comments.

See previous comments.

AIR QUALITY ACTION 2 - USE CLOSED SYSTEMS FOR STORAGE OF ORGANIC LIQUIDS (continued)

INDIVIDUAL/COMMENT:

Santa Clara County Board of Supervisors: Support.

City of Daly City: Support.

Bay Area League of Industrial Associations:
We recommend deleting action 2. The recently passed BAAPCD regulation requiring secondary seals will achieve equivalent reductions at a much lower cost and require much less time for implementation.

Santa Clara County Planning Policy Committee:
Support.

San Mateo County Board of Supervisors: Support.

Bay Area Council: Delete this action because it is included in action 3. However, we do not consider closed systems technology to meet the criteria for RACT (recommended by BAC for action 3). Available data indicates use of secondary seals for storage tanks would achieve emission reductions roughly comparable to those attributed to closed systems, at a much lower cost. Rather than listing a revised action 2 separately, we accept secondary seals as falling within the definition of our revised action 3, RACT.

Canners League of California: We urge that cost-benefit considerations be applied for action 2 to determine a reasonable exemption for small organic liquid storage tanks.

City of Newark: Recommends deletion.

Councilman Fred Maggiora/Oakland City Staff:
This would seem to have little effect on Oakland except as it might affect local producers.

STAFF RESPONSE:

None needed.

None needed.

See previous comments.

None needed.

None needed.

See previous comments.

This measure will be revised as noted above. Size of tanks is a consideration in adopting these types of regulations.

None needed.

None needed.

AIR QUALITY ACTION 3: USE BEST AVAILABLE CONTROL TECHNOLOGY (BACT) ON NEW AND EXISTING HYDROCARBON SOURCES.

INDIVIDUAL/COMMENT:

STAFF RESPONSE:

San Jose Chamber of Commerce: "We believe that the concept of Best Available Control Technology as defined in the plan is actually Reasonably Available Control Technology as defined by EPA. Since RACT is an acceptable strategy to EPA, and since the California Air Resources Board has a different, nearly impossible to implement definition of BACT, we urge that the term BACT be replaced with RACT in the plan. Such an action will avoid considerable confusion and will specify to both the Air Resources Board and to EPA exactly what kind of stationary source control we want to implement."

See Staff Responses to Major AQMP Issues - Item 1.

Gene Spitler, Chevron U.S.A.: "...we recommend that the plan be restructured to provide an incremental approach of applying RACT on existing sources on a step-wise and cost-effective basis to make reasonable further programs without an overly adverse effect on jobs and economic growth."

See Staff Responses to Major AQMP Issues - Item 1.

Western Oil and Gas Association: Action 3 should be replaced by two new actions, one for new or modified sources and one for existing sources. Each of the these two actions should be further subdivided into a number of sub-actions, namely one set of sub-actions for new sources and another set of actions for existing sources.

See Staff Responses to Major AQMP Issues - Item 1.

RACT should be applied to existing sources.

See Staff Responses to Major AQMP Issues - Item 1.

BACT should not be applied to new or modified sources. Instead, the Lowest Achievable Emission Rate (LAER) concept should be applied to new and modified sources.

See Staff Responses to Major AQMP Issues - Item 1.

AIR QUALITY ACTION 3 - USE BEST AVAILABLE CONTROL TECHNOLOGY (continued)

INDIVIDUAL/COMMENT:

Michael Dougherty, Union Oil Company: Storage and transfer of organic liquids should be addressed by this action (instead of as Action 2) and floating roof tanks with secondary seals should be selected as the control strategy.

BACT is not defined in the EMP...Requiring BACT on all existing sources is not economically feasible.... We recommend that the EMP incorporate the concepts of reasonably available control technology (RACT) for existing sources and lowest achievable emission rate (LAER) for new sources as required by the Clean Air Act Amendments of 1977.

We recommend that, instead of a "closed balance system with secondary system" for gasoline station deliveries, the EMP call for a simple balance system without a secondary system.

We recommend that the "secondary vacuum-assist system" be replaced with a state of the art balance system. The BAAPCD staff believes that the use of vacuum-assist systems is not cost effective.

Contra Costa County Board of Supervisors: Some flexibility in the use of BACT will be necessary. The standards for industrial emissions should be based on reasonably available technology. Defer to industry to provide specific wording.

Charles Kinney, ABI: Modify Action 3 to read "Use RACT on existing sources. Use LAER for new sources."

STAFF RESPONSE:

See Staff Responses to Major AQMP Issues - Item 4.

See Staff Responses to Major AQMP Issues - Item 1.

See Staff Responses to Major AQMP Issues - Item 4.

See Staff Responses to Major AQMP Issues - Item 4.

See Staff Responses to Major AQMP Issues - Item 1.

See Staff Responses to Major AQMP Issues - Item 1.

AIR QUALITY ACTION 3: USE BEST AVAILABLE CONTROL TECHNOLOGY (continued)

INDIVIDUAL/COMMENT:

STAFF RESPONSE:

Bay Area Lung Associations, Citizens for a Better Environment, League of Women Voters of the Bay Area, Natural Resources Defense Council, People for Open Space, Sierra Club

Revise Action 3 to read: "Use Best Available Control Technology on new and existing hydrocarbon, sulfur dioxide and particulate sources." Emissions reductions of 211 tons/day of sulfur dioxide in 1985 and 2000 and 46 tons/day in 1985 and 53 tons/day in 2000 of particulates are estimated.

See Staff Responses to Major AQMP Issues - Item 16.

I.H. Gilman, Chevron U.S.A.: Revise Action 3 to require RACT for existing sources and LAER for new sources. Although applying LAER to new sources will make it tough for new industry to choose the Bay Area, the Clean Air Act appears to require LAER.

See Staff Responses to Major AQMP Issues - Item 1.

Natural Resources Defense Council: "We urge continued strong support for this action on both existing and new sources. Industry opposition to this crucial measure for meeting the oxidant standard is already being developed as an extensive effort to weaken the proposed BAAPCD regulation for BACT. The far reaching effect of this measure...indicates that changes, for example, to require Reasonably Available Control Technology (RACT) could make it necessary to achieve extensive reductions with other measures not now proposed."

See Staff Responses to Major AQMP Issues - Item 1.

California Council for Environmental and Economic Balance: Delete Action 3 as drafted and substitute LAER for major new hydrocarbon sources. Use RACT for existing sources...RACT is the maximum that is required to demonstrate "reasonably available" measures for the 1979 State Implementation Plan.

See Staff Responses to Major AQMP Issues - Item 1.

AIR QUALITY ACTION 3: USE BACT (continued)

INDIVIDUAL/COMMENT:

California Council for Environmental and
Economic Balance: (continued)

EPA defines RACT as the lowest emission limit that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility. "What is the incremental cost and estimated emission reduction differential between RACT and BACT as applied to existing stationary sources of hydrocarbon emissions?"

Santa Clara County Board of Supervisors:
Support.

City of Daly City: Support.

Bay Area Area League of Industrial Associations:
Revise Action 3 into two new actions. Use RACT on existing sources and LAER on new sources. These two actions are required by Clean Air Act Amendments of 1977 and would avoid the ambiguity and confusion resulting from different definitions of BACT.

Santa Clara County Planning Policy Committee:
Support.

R.J. Debs, Sierra Club Air Quality Committee:
Plan must include definition of BACT, specify how it is to be applied; and specify on what sources it is to be applied. We suggest applying BACT to both existing and new sources.

STAFF RESPONSE:

See Staff Responses to Major AQMP Issues - Item 1.
Cost and emission reduction differentials cannot now be estimated since specific definitions of BACT and RACT in terms of technologies have not yet been developed.

None needed.

None needed.

See Staff Responses to Major AQMP Issues - Item 1.

None needed.

See Staff Responses to Major AQMP Issues - Item 1.

AIR QUALITY ACTION 3: USE BACT (continued)

INDIVIDUAL/COMMENT:

San Mateo County Board of Supervisors: Support, although the Bay Area Council has suggested that BACT be deleted and replaced with RACT. This alternative should receive consideration by the General Assembly.

Bay Area Council: The Council recommends that BACT on new and existing sources be replaced by two separate measures to be implemented through 1982: use of RACT for existing sources, and use of technology to comply with the LAER for new sources.

Canners League of California: We support the concept of RACT over the ill-defined BACT, particularly for existing sources.

City of Clayton: BACT sounds good but may be very unreasonable...We need to encourage jobs in the private sector as much as its reasonable consistent with reasonable air quality to get our people off welfare and out of government jobs.

City of Hayward: There seems to be many (but not all) aspects of BACT as defined in the Draft EMP that industry indicates it can accept. During the coming year, a technical committee of BAAPCD, ABAG and the affected industries should work to more clearly define what is meant by BACT and RACT. At the time of next year's plan update, adopted the defined BACT for all sources, or adopt LAER for new sources and RACT (defined) for existing sources.

City of Newark: Recommends substituting RACT for new and existing sources for BACT. Also submits text changes for plan document.

STAFF RESPONSE:

None needed.

See Staff Responses to Major AQMP Issues - Item 1.

See Staff Responses to Major AQMP Issues - Item 1.

None needed.

See Staff Responses to Major AQMP Issues - Item 1. EPA and ARB are working on appropriate definitions for BACT and RACT. The AQMP Joint Technical Staff will monitor progress and consistency of those efforts with the AQMP.

See Responses to Major AQMP Issues - Item 1.

AIR QUALITY ACTION 3: USE BACT (continued)

INDIVIDUAL/COMMENT:

Councilman Fred Maggiora/Oakland City Staff:
The action...is controversial as continual retrofitting could be prohibitively costly. Amortization provisions on new emission control devices should be considered as well as best reasonable technology in lieu of BACT.

Bay Area Lung Associations: The requirement of BACT is most important. We suggest a further definition of LAER to avoid misinterpretation problems. The definition should reflect the best performance of existing technology for the type of source.

STAFF RESPONSE:

See Staff Responses to Major AQMP Issues - Item 1.
It is standard practice to amortize the capital cost of emission control.

See Staff Responses to Major AQMP Issues - Item 1.

AIR QUALITY ACTION 4: CONTINUE THE REVIEW OF NEW AND MODIFIED INDUSTRIAL AND COMMERCIAL FACILITIES (NEW SOURCE REVIEW).

INDIVIDUAL/COMMENT:

City of Milpitas: "We...would suggest that action 4 (new source review) be modified by consideration of an economic trade-off approach...."

Santa Clara County Medical Society Environmental Health Committee: "Under new source review, our Committee recommends that a net reduction in emissions should be the criterion for acceptance of a new stationary source of emissions to the source of emissions being replaced."

Western Oil and Gas Association: We support the concept of NSR.

Charles Kinney, ABI: Delete because already performed by BAAPCD.

I.H. Gilman, Chevron U.S.A.: A question related to Action 4 is whether emission offsets should be required for new sources after 1979. Offsets will be increasingly difficult to obtain as more sophisticated control technology is applied to existing sources of hydrocarbons. Chevron believes that the plan should be specific with regard to emission offset rations, keeping in mind that LAER plus offsets would essentially preclude new industry after 1979. The Clean Air Act does not specifically require offsets for individual new sources after July 1979, and we believe that reasonable further progress can be made between 1979 and 1982 without requiring offsets.

STAFF RESPONSE:

Under the Clean Air Act, economic tradeoffs are not allowable as long as applicable air quality standards are being violated.

The existing New Source Review Rule provides for a permit-by-permit decision on the offset ratio to be required, with a one for one offset as the minimum allowable. To require a net reduction would not substantively change the rule since the net amount could be made as small or as large as would be required under the existing rule.

None needed.

Action 4 needs to be included in the plan to demonstrate numerical attainment and maintenance, or reasonable further progress toward attainment and maintenance. That is why wording "Continue to..." is used.

As part of the continuing planning process, the AQMP Joint Technical Staff will develop a method for monitoring "reasonable further progress" which will provide the data necessary to decide whether offsets should continue to be required after 1979.

AIR QUALITY ACTION 4 - CONTINUE NEW SOURCE REVIEW (continued)

INDIVIDUAL/COMMENT:

Industrial Siting Task Force, ABAG:

Add this language to Action 4, "...and develop a regional offset program to the maximum extent of Federal law."

Add appropriate narrative language to indicate the substance of the action and its basis in the Clean Air Act Amendments of 1977.

Natural Resources Defense Council: "We... urge continued support especially given the importance of this measure in not only achieving the oxidant standard, but also in maintaining it after 1985."

California Council for Environmental and Economic Balance: Support. The only way for new sources to be constructed after July 1, 1979 is to show that they will not add emissions, and in fact that it will actually reduce emissions...Since it is virtually impossible to show "zero" emissions, the only way to show a reduction in emissions is through offsets...Presumably this requirement (use of all reasonably available control technology) would leave available for offsets the increment between RACT and BACT. However the proposed plan goes even further and requires BACT on existing as well as new sources. This effectively precludes offsets...The stationary source measures included in the plan erroneously create the impression that the oxidant standard can be obtained by 1987, without implementation of "unreasonable measures." This is a false assumption because the plan requires BACT which is not considered "reasonable" and NSR is not likely to be able to achieve the level of emission reductions attributed to the plan. Therefore, the plan should state that the oxidant standard cannot be attained by December 1987 without implementation of unreasonable measures.

STAFF RESPONSE:

Alternative phrasing for this action has been developed for consideration by EMTF and subsequent approving bodies.

None needed.

See Staff Responses to Major AQMP Issues - Item 1. Staff is unaware of any piece of legislation, guidelines, or other documentation which would indicate that a BACT requirement is "unreasonable."

AIR QUALITY ACTION 4 - CONTINUED NEW SOURCE REVIEW (continued)

INDIVIDUAL/COMMENT:

Santa Clara County Board of Supervisors: Support.

City of Daly City: Support.

Bay Area League of Industrial Associations: Retain Action 4, but specify that emission offsets be included. We believe that NSR will seriously impact the economic development of the Bay Area and request that it be given further study in the CPP.

Santa Clara County Planning Policy Committee: Support.

R.J. Debs, Sierra Club Air Quality Committee: Which new source review/tradeoff rule is to be used, when and how?

San Mateo County Board of Supervisors: Support.

Bay Area Council: Support.

San Francisco Tomorrow: New source review procedures should include consideration of the economic and social implications of a proposed project, particularly if there are competing sites for the project.

City of Clayton: The proposal to allow new industries only if they contract to rid the basin of 120% of their proposed emissions is too onerous. It does not recognize that new industries are positive aspects in that they add jobs, taxes, etc. The 120% figure should be reduced to no more than 100%.

STAFF RESPONSE:

None needed.

None needed.

Staff has developed alternative phrasing for Action 4 which includes the offset concept.

None needed.

Specific recommendations concerning changes to the existing New Source Review Rule will be developed in the continuing planning process as part of the Clean Air Act requirements for demonstrating "reasonable further progress."

None needed.

None needed.

Under the Clean Air Act, economic tradeoffs are not allowable as long as applicable air quality standards are being violated.

The AQMP does not include a position on the amount of offset required under New Source Review. The existing rule also does not stipulate 120%.

AIR QUALITY ACTION 4: NEW SOURCE REVIEW (continued)

INDIVIDUAL/COMMENT:

City of Hayward: This action should be amended to continue review of new and modified industrial and commercial facilities "in accordance with uniform standards to be applied in all similar air quality basins throughout the nation." This would ensure that the Bay Area's current competitive disadvantage in attracting new industry and commerce, and the jobs that go with such development, is not further adversely affected.

City of Newark: Amend explanatory material for this action by adding: "The BAAPCD new source review as it relates to oxidant control shall be conducted in such a manner consistent with other air basins in the Los Angeles and San Diego metropolitan areas in the State of California using lowest available emission rate criteria."

Bay Area Lung Associations: An important component of NSR is the use of an emissions offset policy. The offset policy becomes important when a proposed source using BACT will still cause significant emissions that interfere with the attainment or maintenance of standards. To implement the emission offset requirements, we feel very strongly that a net reduction in emissions must be the prime criterion.

STAFF RESPONSE:

The proposed continuing planning process includes actions to monitor nationwide consistency of enforcement of New Source Review requirements.

The California Air Resources Board has adopted a New Source Review Rule for the BAAPCD which is consistent with the rule adopted for the South Coast (Los Angeles) Air Basin.

The existing New Source Review Rule provides for a permit-by-permit decision on the offset ratio to be required, with a one for one offset as the minimum allowable. To require a net reduction would not substantively change the rule since the net amount could be made as small or as large as would be required under the existing rule.

AIR QUALITY GENERAL POLICY II - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

INDIVIDUAL/COMMENT:

STAFF RESPONSE:

F.E. Wilts, San Leandro Manufacturers Association:
Retain the mobile source control measures.

None needed.

City of Milpitas: "In general we favor the policies which will help minimize hydrocarbon emissions from motor vehicles. Living in the eastern Santa Clara Valley makes us accutely aware of this particular pollutant...."

None needed.

Town of Los Gatos: Mobile sources controls "have significant and far reaching effects, but the proposed standards appear to be necessary in order to meet Federal standards and appear basically acceptable."

None needed.

San Jose Chamber of Commerce: "We support continued aggressive programs and policies aimed at cleaning up direct automobile emissions through technological applications and modification of the internal combustion engine."

None needed.

San Mateo County Council of Mayors: Support all actions.

None needed.

City of Santa Clara: Support all actions.

None needed.

Walter P. Ward, General Manager of Vallco Park, Cupertino: "Vallco favors most of the recommendations of the AQMP...particularly reasonable emission standards for motor vehicles, periodic inspection of vehicles...."

None needed.

Rossmoor Residents Association: Agree essentially as proposed.

None needed.

AIR QUALITY GENERAL POLICY II - COMMENTS NOT SPECIFIC TO POLICIES AND ACTIONS

INDIVIDUAL/COMMENT:

Contra Costa County Board of Supervisors:
Accept the actions, but ask that the EMTF be provided with justification for the 50% reduction figure and the increased hydrocarbon benefits to the region which would be gained by using a 55% and/or a 60% relative reduction in vehicle emissions.

Bay Area Lung Associations, Citizens for a Better Environment, League of Women Voters of the Bay Area, Natural Resources Defense Council, People for Open Space, Sierra Club:

Revise Policy to read "Minimize hydrocarbon and carbon monoxide emissions from motor vehicles."

Charles Kinney, Associated Building Industry:
Revise policy to read "~~Minimize~~- Reduce ... if further controls are necessary."

California Council for Environmental and Economic Balance: Support both the general policy and specific actions 5-7 in the draft plan. "Stringency of control measures should be in a reasonable balance with a given source category's contribution to the problem.

Santa Clara County Board of Supervisors: Support policies and actions.

City of Daly City: Support policy and actions.

STAFF RESPONSE:

The 50% reduction in auto emissions was provided by surveying automotive engineers expert in the field of new engine technologies. Their assessment was that an additional 50% reduction in emissions was technologically feasible. While 55% or 60% reduction would yield more emissions reduction, it is uncertain whether the technologies to be developed would be able to accomplish such reductions.

Carbon monoxide problems will be addressed in the continuing planning process.

We agree with the suggestion to change "Minimize" to "Reduce." We disagree with the second suggestion because the analysis of the oxidant problem shows that more controls on stationary and mobile sources are necessary to meet the Federal oxidant standard, and even there they are not sufficient to maintain it.

None needed.

None needed.

None needed.

AIR QUALITY GENERAL POLICY II - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

INDIVIDUAL/COMMENT:

Northern California Motor Car Dealers Association:
Recommends mobile source controls be deferred for further technical study as part of the Phase II approach allowed by the Clean Air Act.

Planning Policy Committee, Santa Clara County:
Support policy and actions.

City of Cupertino: "We support the policy but a Statewide control measure should be considered in the future."

San Mateo County Board of Supervisors: Support policy and all actions.

Bay Area Council: Change "Minimize" to "Reduce" in the general policy.

Sierra Club NCRCC: The existing actions, especially action 5, contain considerable uncertainties. To supplement Section II, NCRCC recommends the following Action:

Full user charges for highway transport.
ABAG/MTC should initiate in 1978-79 a full accounting of all auto/highway costs in the Bay Area and recommend to the State legislature an increase in highway user gas taxes to finance these costs. ABAG/MTC should recommend the reduction of property and/or sales taxes in compensation.

STAFF RESPONSE:

Such a measure needs to be identified for long-term maintenance of the air quality standard in the 1979 plan. To provide sufficient lead time to auto manufacturers, this action needs to be adopted as soon as possible. Assuming 10 years is needed by the auto industry to produce such low emitting cars, the CARB would need to adopt this regulation in 1980.

None needed.

If implemented, this measure would have to be carried out Statewide by the CARB. There was no intent to have this measure apply only to the Bay Area.

None needed.

No objection to this.

The proposed study for a "full accounting of all auto/highway costs" is beyond the scope of the Environmental Management Program. However, EMTF may wish to consider increases in the highway user gas taxes to help finance some of the costs of the plan.

AIR QUALITY GENERAL POLICY II - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

INDIVIDUAL/COMMENT:

San Francisco Tomorrow: Carbon monoxide problems should be addressed in this area particularly in view of the fact that urban areas may be more impacted than suburban or rural areas.

City of Hayward: It is the conclusion of the City that Actions 5, 6 and 7 are appropriate if they are applied on a Statewide basis.

City of Newark: Add a new Action 8, "Request Federal support and regulations for a concentrated effort in the development of a pollution-free automobile by 1985."

Councilman Fred Maggiora/Oakland City Staff: Actions do not appear to have any adverse effect on the city.

Bay Area Lung Associations: "The proposed mobile source controls--more stringent vehicle exhaust emission controls and an inspection/maintenance program--will yield significant reductions in hydrocarbon emissions. Even with the implementation of the proposed stationary source controls and mobile source controls, the standards will not be met and our air will not be safe to breathe..."

STAFF RESPONSE:

See previous comments about carbon monoxide problems. They will be addressed in the continuing planning process.

Actions 5, 6 and 7 should probably be appropriate for all non-attainment areas in California, which includes all major urban areas of the State. It is not clear, however, that inspection/maintenance should be implemented in relatively clean, rural areas of the State.

The lead times required by the auto manufacturers is substantive. It is doubtful that anything beyond the current State and Federal motor vehicle standards could be implemented by 1985. It is unclear what is meant by a "pollution free" auto.

None needed.

We agree.

AIR QUALITY ACTION 5 - IMPLEMENT MORE STRINGENT VEHICLE (LIGHT AND HEAVY DUTY) EXHAUST EMISSIONS CONTROLS

INDIVIDUAL/COMMENT:

Bay Area Lung Associations, Citizens for a Better Environment, League of Women Voters in the Bay Area, Natural Resources Defense Council, People for Open Space, Sierra Club:

Add "...for hydrocarbons and carbon monoxide to action. Emission reductions of 62 tons/day of hydrocarbons and 1717 tons/day of carbon monoxide are expected in the year 2000.

Charles Kinney, Associated Building Industry:
Strike language about "approximately 50% reduction below 1977 prescribed levels." Add "...determined by their contribution (%) of emissions."

I. H. Gilman, Chevron U.S.A.: "We are hopeful that new engine technology will develop over time which will allow achievement of these exceedingly stringent standards. Since the Draft Plan is directed primarily at oxidant control, we do not understand the inclusion at this time of more stringent carbon monoxide standards after 1985 on new automobiles."

Northern California Motor Car Dealers Association:
"The adoption of increasingly stringent air quality standards must be given the most careful study.... Accordingly we urge great care in the development of emission standards which may only aggravate a situation where the costs of controls now far exceed the small additional health benefits resulting from these controls."

Bay Area Council: Support.

STAFF RESPONSE:

Carbon monoxide problems will be addressed in the continuing planning process. If tighter exhaust emission standards are warranted for CO, they will be identified and proposed in the CO plan.

50% reduction was determined primarily on technological feasibility for additional control. Equity was not a determinant as inferred by this comment.

No recommendations in the draft AQMP call for more stringent CO emission standards.

We agree the proposal requires further study. We are sure the CARB will undertake such studies prior to adopting any additional exhaust emission standards.

None needed.

AIR QUALITY ACTION 5 - IMPLEMENT MORE STRINGENT VEHICLE EXHAUST EMISSION CONTROLS (continued)

INDIVIDUAL/COMMENT:

Sierra Club NCRCC: Supports stringent emission standards but questions whether this action is truly achievable by 1990. It is certainly a very optimistic goal...Certainly all internal combustion vehicles must be regulated, including aircraft and motorcycles. AQMP presently contains no provisions for aircraft/airport emissions. Action 5 indicates that AQMP is relying too heavily on technological solutions to air pollution control.

California Institute for Public Transportation:
The proposed motor vehicle emission standards... preempt Federal and State authority. Perhaps the intent is for these higher authorities to adopt such regulations, but such confirmation is lacking. Bay Area action alone, if enforceable, could cause many different happenings. Unless alternate technology is developed, most new vehicle sales would be eliminated and the remainder would be very expensive. The area might become the second hand car capitol of the world for a few years, then experience economic collapse...This should be done on a Statewide basis and should not be in a regional plan.

STAFF RESPONSE:

The survey conducted by ABAG indicates the more stringent exhaust emission standard is technologically feasible by 1990. Aircraft emission controls were not included in the plan since EPA has already adopted such controls. The aircraft controls begin to be implemented in 1979.

No authority is preempted. This action would have to be implemented at the State level. California is permitted to adopt more stringent auto emission controls by the Clean Air Act, and has been doing so. Without a region indicating it cannot meet the oxidant standard without this action on the part of the State, it is unlikely to happen. The AQMP will be part of the the State Implementation Plan required by the Clean Air Act.

AIR QUALITY ACTION 6 - INSPECTION/MAINTENANCE PROGRAM FOR LIGHT AND HEAVY DUTY VEHICLES

INDIVIDUAL/COMMENT:

League of Women Voters of the Bay Area: Strong support. Start before 1982. The direct benefits are very substantial, but the significant energy savings and the creation of jobs should not be ignored.

Bay Area Lung Associations, Citizens for a Better Environment, League of Women Voters of the Bay Area, Natural Resources Defense Council, People for Open Space, Sierra Club:

Change implementation from 1985 to 1980.

Charles Kinney, Associated Building Industry:
Add "with the minimum governmental administration" to action.

I.H. Gilman, Chevron U.S.A.: This action is required for Bay Area to obtain extension in meeting the oxidant standard in 1987...Such a program...is correctly included in the draft plan....

Natural Resources Defense Council: We urge that this program be fully implemented by at least 1981 or 1982...The effectiveness of the I/M program can be expected to increase significantly if it is implemented three or four years earlier, due to the higher percentage of "dirty" cars that will be on the road in 1981 as opposed to 1985. Change implementation to 1981.

STAFF RESPONSE:

Program could be started before 1982 only if legislation passed and ARB immediately (before legislative authorization) began steps necessary to implement the program. 1982 is earliest reasonable date. This measure is required for any area that cannot attain the oxidant standard by 1982.

See previous comment.

As proposed in Los Angeles, the main program is run under a contract to a private firm. The CARB is involved only in an administrative and data collection capacity.
None needed.

The draft plan proposed staged implementation of this program. I/M for light-duty vehicles is to begin in 1982. I/M for heavy-duty vehicles is to begin in 1985. Given the many problems associated with such a program, a fully implemented program for autos and trucks by 1985 appears reasonable.

AIR QUALITY ACTION 6 - INSPECTION/MAINTENANCE (continued)

INDIVIDUAL/COMMENT:

Northern California Motor Car Dealers Association:

"The question of mandatory inspections and maintenance programs is a difficult one which should be the subject of further serious, technical study." Wide range of labor and other overhead costs may cause implementation difficulties. Charges fixed by law or regulation "are an awkward fit with problems such as these." We would urge that consideration of any such program be uniform throughout the State, and not implemented just in Bay Area.

Bay Area Council: Support.

Sierra Club NCRCC: Supports inspections but opposes the delay until 1982 for light vehicles and 1985 for heavy vehicles. Implementation should begin as soon as practicable. It should be financed by a gas tax. We also challenge the lack of a schedule for heavy duty vehicle inspection program.

San Francisco Tomorrow: Fines and inspection fees should be used to support the proposed inspection program, and the program should be extended to automobiles. ABAG standards in this area should be more stringent than federal or state standards.

California Institute for Public Transportation:

"Mandatory inspections could be a monster with inspection and repair rackets tied together, owners registering vehicles out of the area or tampering with the equipment and outsiders running around freely..." This action should be part of a Statewide program and not part of a regional plan.

STAFF RESPONSE:

This issue has been "seriously" studied since the late 1960s. It is required by the Clean Air Act of 1977 if the region is to get a five year extension for attainment of the oxidant standard. We agree it should be implemented throughout California in non-attainment air basins.

None needed.

We agree this program should be implemented as soon as practical. Our assessment was that 1982 and 1985 were reasonable schedules for implementing the program on light and heavy duty vehicles. It may be possible to implement this program earlier.

Inspection fees are proposed to support financing of this program. It is intended for automobiles (and trucks). No Federal or State standards exist governing such programs.

This action probably would have to be on a Statewide basis. Inspection and maintenance programs are required for the State and region to be permitted a five-year extension from 1982 to 1987 in meeting the oxidant standard. Including this action in the region's AQMP will mean that the region can take credit for emission reductions for a program implemented on a Statewide basis. The AQMP will be part of the State Implementation Plan.

AIR QUALITY ACTION 7 - REQUIRE HEAVY DUTY GASOLINE EXHAUST CONTROL DEVICES ON EXISTING VEHICLES

INDIVIDUAL/COMMENT:

Bay Area Lung Associations, Citizens for a Better Environment, League of Women Voters of the Bay Area, Natural Resources Defense Council, People for Open Space, Sierra Club:

Change action to read: "Require exhaust control devices on existing heavy duty gasoline vehicles."

Charles Kinney, Associated Building Industry:
Add language to action "...if cost-effective for emissions reduced."

I.H. Gilman, Chevron U.S.A.: This action is impractical. The plan incorrectly assumes that 1971 and newer model heavy duty vehicles are designed to operate satisfactorily on unleaded gasoline. This is not so and engine knock, possibly leading to engine damage, as well as premature exhaust valve failure under heavy duty service would be the result....The retrofitting job would be \$1,000 to \$1,500 per vehicle, not \$350. Possibly some lesser approach to reduce the hydrocarbon emissions of these vehicles on resale...could be proposed. Such an approach deserves further study because of the major emissions contributions of these heavy duty vehicles.

Northern California Motor Car Dealers Association:
"Emission control devices and their requirement in-
installation on any kind of used vehicle can result
in disaster--witness the catastrophic failure of the
CARB's \$35.00 retrofit program of several years ago
in the Los Angeles Air Basin." We urge careful
study and discussion of such a radical step.

Bay Area Council: Defer this item for further analysis in the continuing planning process.

STAFF RESPONSE:

See Staff responses to Major AQMP Issued-Item 3. Pre-1971 vehicles are exempted because they require leaded gasoline which contaminates the catalyst.
Our analysis shows the measure to be very cost-effective.

Our analysis is based heavily on New York's experience in retrofitting and testing catalytic converters on in-use heavy duty trucks. Their experience shows it to be possible.

See Staff Responses to Major AQMP Issues-Item 3.

For maximum effectiveness, retrofit programs need to be implemented as soon as possible.

AIR QUALITY ACTION 7 - HEAVY DUTY GASOLINE EXHAUST CONTROL DEVICES (continued)

INDIVIDUAL/COMMENT:

Sierra Club NCRCC: We question the diesel exemption, but support the action.

California Institute for Public Transportation:
Retrofitting heavy duty vehicles would give negligible results from small number of vehicles. This program should be on a Statewide basis and not part of a regional plan.

STAFF RESPONSES:

Retrofitting diesel engines leads to unresolved technical difficulties.

The AQMP will be part of a State plan.

AIR QUALITY GENERAL POLICY III - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

INDIVIDUAL COMMENT:

RESPONSE:

F.E. Wilts, San Leandro Manufacturers' Association:

Delete the transportation section. "Formulate a new section, or sections, with reasonable timetables for the development of non-polluting/low-polluting individual transportation modes. For example: battery-powered vehicles for the 50- to 100-mile commute and low emission vehicles for 100 mile plus travel...Propose ways in which 'private sector' development of technology (for this recommendation) can be financed."

MTC proposes deleting some of the recommended controls but feels that the remaining ones are desirable.

7
San Mateo County Council of Mayors: Modify General Policy to read "Reduce Motor Vehicle Emissions through Transportation Actions to Reduce Long Distance Single Passenger Vehicle Use."

MTC staff disagrees. On newer cars, over half the emissions are attributed to starting and stopping the vehicle. Thus reducing the number of vehicle trips, regardless of length, is important.

Ivan Gilman, Chevron U.S. A

The transportation controls proposed in the Draft Plan contribute little toward attainment of the oxidant standard. Their true importance relates to the need for more efficient use of energy. However, the energy saving aspect of the transportation controls is noted only qualitatively in the Draft Plan. If the Bay Area continues to increase its demand for petroleum products at the current rate, it will be consuming all available supply by 1990; transportation controls could help assure a continued supply of appropriate fuels for legitimate transportation needs. Chevron recommends that the energy savings due to transportation controls be quantified to help in deciding on the overall value of these controls. We heartedly endorse the need for improvement in practical public transportation systems in the Bay Area. We recommend that primary attention be given to better use of existing highways and freeways."

MTC staff agrees. Quantification of the energy savings has been completed but will be refined in the continuing planning process.

AIR QUALITY GENERAL POLICY III - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

INDIVIDUAL/COMMENT:

RESPONSE:

Ralph Ballmer, Sierra Club:

2
It is gratifying that the EMTF has identified the extreme environmental consequences of overdependence on highway transport, including both the vehicles themselves and their supportive infrastructure. The crucial question posed by EMTF is: Who shall pay for pollution? Here is a partial list of road subsidies: Exemption from property taxes...Donated city services... Property taxes...A crucial aspect of EMTF work must be the identification and quantification of road subsidies in the Bay Area and recommendations to state and local governments for their gradual removal. Road user charges (gas taxes) must be adjusted to remove these artificial inducements to road transport. When property, sales, and other general tax road subsidies are removed, these taxes can be reduced in compensation. There need be no new net taxes for pollution control... Proper pricing of road transport through full road user charges will produce correct energy pricing as well...The EMTF must also examine archaic zoning laws which encourage auto use...EMTF should consider recommending to Bay Area jurisdictions a "Bay user charge", levied by the square foot, on parking lot paved surfaces in order to cover the environmental costs of pavement runoff...

MTC staff agrees that there are hidden public subsidies to automobile travel. Because of the difficulty of implementing changes to the tax/fiscal structure in the short term, we proposed transportation controls which seemed less controversial and hence, more implementable. This subject could be studied in the continuing planning process.

Bay Area Council: The Council opposes adoption of these measures in Phase I, and recommends that Actions 13, 15 be deferred to the continuing planning process. Measures show only modest reductions ...Such measures may not be necessary even if they were shown to have some air quality benefits.

ABAG staff disagrees. Measures recommended are necessary for attainment of the oxidant standard. Deletion of these actions, or deferral to the continuing planning process, means that additional measures will have to be included for attainment purposes. MTC's staff recommended modifications will make it slightly more difficult to demonstrate attainment.

AIR QUALITY GENERAL POLICY III - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

INDIVIDUAL/COMMENT:

Margaret Zegart

"AQMP should be reviewed in the context of increased leisure use, tourist and transient population demands..." Recommends adding this action: "Add commuter neighborhood parking lots adjacent to transit at point closest to user home, landscaped berms for noise and visual impact mitigation." Recommends "Measures to promote transit modes should be developed. Many alternatives addressed in studies, e.g. the Golden Gate National Recreation Area and Golden Gate Regional Transportation Study bus lane/reduce travel time by transit lanes, detour auto traffic - then 30% saving on auto traffic and 15% transit over these (component 9 exclusive bus lane service to recreational areas) etc..." Recommends adding these actions: "Enforce handicapped parking by ordinance in public and private areas and parking sites required to be closest/immediately adjacent to site or transit", "Provide commuter parking areas sufficient to encourage transit use in Highway and community road improvements as condition of funding in areas closest to departure (home) point", "create staging areas for commuter and recreation transit to include restops, amenities, transit route and schedule information", "relate design and site planning to transportation grid of community and region and apply this principle to recreation/park land use/programs", and "create additional revenues, such as percent of gas tax or preferential parking fees or toll increased would be required."

RESPONSE:

Many of these suggestions are embodied in ongoing studies at MTC.

AIR QUALITY GENERAL POLICY III - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

INDIVIDUAL/COMMENT:

City of Brisbane

4 "Perhaps the greatest contribution of the EMP will be to focus on the need to place pressure on Detroit to produce an environmentally sound product rather than spend exorbitant amounts of time, energy and money to do socially damaging tasks with little air or water quality impact. Are all the land use controls and transportation style modifications really worth it?...

"Why are airports not mentioned? These produce much pollution from both the aircraft and all the support services and users of the facilities. Some attention in this area appears reasonable and needed. "The following Transportation controls should be considered: 1. Ban strikes of transit workers so transit becomes reliable. 2. Ticket books for Bay Bridge should be sold by mail only to avoid bridge congestion. 3. Off road vehicle use off highways in the region should be prohibited. 4. Pedestrial facilities should be improved to encourage people to walk more and drive less."

Contra Costa County Board of Supervisors:

"Consider an increase in bus capacity, well beyond that shown in the draft EMP, as a major tradeoff item for land use control measures found in the plan."

RESPONSE:

The AQMP does look at technological controls on the auto (Actions). The question of air pollution generated at airports is being studied in the Regional Airport Update Plan.

Suggestions 1: Additional legislation would be needed.

2: Books are already being sold thru banks and at booths in the off-peak direction.

4: We agree, but the airport and air quality would be slight

MTC staff agrees that additional transit service would be desirable but its effectiveness would be hindered by current land development policies.

AIR QUALITY GENERAL POLICY III - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTION

INDIVIDUAL/COMMENT:

RESPONSE:

Mary Carr Scales

5 "I found the recommendation that certain streets be closed to auto traffic so as to force people to bicycle to work discriminatory against: Elderly who wish to remain in their houses but who need help via autos from doctors, nurse and household help; disabled person who can drive, or who needs to be picked up; people wishing to buy or sell homes. Clients often need to shop in a hurry and need to drive to several houses and may be prejudiced against buying one without auto access; trucks, for delivery, moving, garbage collection; mother who carpool kids to a nurse school or school; people who have babies or who shop once a week with huge bags of groceries to unload for families."

Action 15 does not recommend closing streets. Any Auto Control Zone would, of course, maintain access for local residents and emergency and service vehicles.

Charles Kinney, Counselor, Associated Building Industry of Northern California

Modify to "Reduce motor vehicle emissions through cost-effective transportation actions to reduce vehicle use."

Cost and effectiveness are two of the criteria presented for decision-makers review.

California Council For Environmental and Economic Balance

General comment: "It should be clearly noted that stationary and transportation controls constitute the total program for emission reductions to attain the oxidant standard."

On the General Policy: "Support the General Policy to the extent that specific measures have a significant contribution to emission reduction, are cost effective and are not socially repressive."

AIR QUALITY GENERAL POLICY III - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

INDIVIDUAL/COMMENT:

RESPONSE:

Dr. Wayne Williams and James S. Cannon, Citizens
for a Better Environment

9
Recommend amendment to "Encourage the development and utilization of non-polluting energy sources.. The ABAG plan, in its silence on energy issues, promotes the use of polluting fuels instead of correctly discouraging such use. CBE believes a new section should be added to the AQMP proposing policies and actions to guide Bay Area energy consumption patterns in a direction which would minimize future pollution. Such an action would be in line with the California State Energy Commission's philosophy of promoting intermediate energy utilization technology and energy conservation...

Energy issues, while relevant to the EMP particularly in the discussion of vehicle use, are not an explicit part of the EMP. ABAG's work in energy is under a separate program, although it is expected that the energy-environmental relationship would be the subject of additional analysis during the continuing planning process.

Wayne Hoffman, Natural Resources Defense Council

General comments: MTC staff should provide detailed information on the proposed transportation controls (level of transit service improvement; bus/carpool lanes; bridge tolls, etc.) that are included in the Compact Development Proposal... Many of the recommendations provided here encourage the consideration of more extensive transportation controls, often within shorter time frames than now proposed by the AQMP. It is important to point out that the 1985 target date for actions such as #11 and #12 is a major reason the measures are so ineffective in reducing emissions. That is because 1985 is the year of lowest projected vehicle emissions. We feel that earlier implementation of certain measures may increase their effectiveness significantly, not to mention the lower bus/carpool lane construction costs and lower transit vehicle

The transportation controls, should be considered as concepts for review. Since many levels of government are generally involved in carrying out transportation control measures, detailed implementation steps would need to be developed after a decision was made, in principle, to move ahead. We agree that the effectiveness of transportation controls is small, however, the level of effectiveness is dependent solely upon the extent to which, the Bay Area is willing to impose sanctions against single - occupant automobiles.

AIR QUALITY GENERAL POLICY III - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

INDIVIDUAL/COMMENT:

RESPONSE:

Wayne Hoffman, Natural Resources Defense Council

purchase prices. Such an effort is also more in line with Clean Air Act "reasonable further progress" requirements....In general we feel that many of the transportation controls are ~~too~~ weak to be effective..."

California Council for Environmental and Economic Balance

General comment: "The measures supported by the Council appear to be the ones that have the best overall potential for effectiveness.

Question: Why are transportation control measures emission reductions included with compact development for the year 2000 projection? What is the estimated emission reduction for transportation control measures 8-15 in 2000?"

Staff has indicated to CCEEB previously that transportation improvements recommended in the draft plan work together with land use and development actions. Effectiveness of transportation controls and transit improvements is reduced substantially without resident/commercial density/development at a level conducive to transit service.

Santa Clara County Board of Supervisors

General comment: "The Board of Supervisors supports the basic policies of the AQMP. Inasmuch as Santa Clara County now has the worst overall air pollution problems in the Bay Area, much of which is the result of pollution generated outside of our county, the Board believes that it is extremely important that effective regional solutions be found to this problem."

City of Cupertino: City supports all the actions with modifications suggested to actions 9 and 12.

AIR QUALITY GENERAL POLICY III - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

INDIVIDUAL/COMMENT:

San Mateo County Board of Supervisors

General comment: "Many of the recommended policies included in this strategy are acceptable as sound land use and transportation guidelines. However, it is not clear that the intended effect on air quality will necessarily occur nor that strict enforcement of the specific policies listed in the plan is appropriate. These policies will require substantial local government efforts for implementation, but they may result in a relatively minor reduction in air pollutants compared with the source controls outlined in the Plan. For these reasons, it is recommended that enforcement of local efforts on implementation should be contingent on congressional efforts to substantially reduce auto emission pollutants. Other source control may also be needed to offset the uncertain benefit of these policies..."

On General Policy: Modify to "Reduce motor vehicle emissions through transportation actions to reduce long distance single passenger vehicle use.."

Northern California Motor Car Dealers Association:
People in California still need their cars for personal transportation...Restrictions in the use of the automobile may very well hurt the very people ABAG is trying so diligently to serve...Please be sure workable, affordable alternatives to the auto are available before inhibiting their use..."

RESPONSE:

EMTF has added an action relating to enforcement of emission limits. See also response to San Mateo County Council of Mayors.

Staff agrees.

AIR QUALITY GENERAL POLICY III - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

INDIVIDUAL/COMMENT:

R. J. Debs, Sierra Club: "It is vital that these auxiliary actions (attempts to transfer daily trips...from automobiles to mass transportation)...also be implemented."

Velma Million, Chairman, Mt. Hamilton Foothill Property Owners Association:

"We are told that Mr. and Mrs. America is in love with their automobile. We are having a romance with our automobile, the freeways and roads are not paying their way. The plan reflects the parental image, scolding us for not being prudent and that this romance is not in our best interest...We do not totally disagree...We question the economic and social cost of this plan..."

Mayor George Moscone, San Francisco: "The EMTF studies indicate that transportation controls are the least efficient methods of improving certain aspects of air quality...We must be certain that the air quality benefits to be gained are substantial enough to justify potentially serious adverse non-air quality effects of the controls." Concerned that San Francisco might be singled out for some kinds of controls.

San Francisco Tomorrow: "Generally the stated goals of the transportation policy are too weak. The policy should state that the controls are to encourage the use of mass transit rather than the use of the automobile...."

RESPONSE:

None needed.

ABAG staff disagrees. The plan does not "scold" anyone. It does try to indicate that the Federal air quality standards are exceeded, and that major actions to reduce hydrocarbon emissions are necessary for the region to meet the standard. Such actions will obviously cost money; the EMTF and General Assembly have to decide whether the actions are publicly acceptable.

Staff agrees that measures should be applied so that no area is placed at a competitive disadvantage.

Disagree with suggested revision in policy. This is an air quality plan, not a transportation plan. While the encouragement of mass transit use over the automobile when transit is available is implicit, the policy should be phrased in such a way that hydrocarbon emissions from automobiles and other vehicles.

AIR QUALITY GENERAL POLICY III--COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

INDIVIDUAL/COMMENT:

Richard Cole, President, SF Bay Chapter of
Association of Environmental Professionals:

Since the transportation and land use strategies are relatively ineffective, costly and politically sensitive, it would seem prudent to analyze and present other combinations of strategies in the same graphic format as Figure 27....

Town of Moraga: Recommend transportation measures be deferred to continuing planning process, but if this is not adopted, we recommend that any land use and transportation controls included in the plan clearly indicate that air quality is to be an important factor in land use decisions, but should not automatically determine the outcome of those decisions.

10
Wilfred W. Russell, California Institute of Public Transportation: "The punitive approach in forcing the use of public transit will not work. Because of breakdowns, delays and service interruptions public transit is too unreliable and time consuming for many trips. It is also inconvenient...Any further bridge toll increases would be an unfair discrimination against captive automobile uses...Similar reasoning applied to the parking tax except that there will be loss to midtown businesses when customers go elsewhere. Preferential parking for car pools is a positive approach. Providing additional transit service requires an honest effort to include reliability and quick travel time...Ramp metering is a positive approach offering slight capacity and substantial operation improvements...Expanding car and van pool programs are positive. The use of bicycles in winter is questionable but the program may be alright for dry weather.

RESPONSE:

Difficult to respond since other measures were tested and emission reductions shown elsewhere. Figure 27 is designed to show how the recommended controls would meet the standard for oxidant.

MTC staff has recommended that some of the controls be adopted now, and others be deferred for further study during the continuing planning process.

ABAG staff agrees with this view.

Staff does not necessarily disagree with the views expressed. See proposed staff modifications based on MTC Work Program Committee recommendations.

AIR QUALITY GENERAL POLICY III - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

INDIVIDUAL/COMMENT:

Wilfred Russell, California Institute of Public Transportation (continued):

11
Suggests adding actions to encourage food markets and liquor stores except Mom and Pop corner groceries to establish phone order and delivery service...Require BART to operate trains at 3-minute headways in the Bay tube and San Francisco and at 6-minute headways on other lines by 1979...Require BART to extend service from Fremont to San Jose by 1985 and from San Jose to Daly City by 1990...Phase out Peninsula Southern Pacific service when new BART service is inaugurated. Support two daily round trip AMTRAK services between Oakland and San Francisco...Establish a fare transfer service between BART and all local systems as now done between BART and AC and between BART and SF Muni...Encourage speedup of SF Bay Area Transportation Terminal Authority action to provide new terminal by 1985...Require complete assessment and consolidation of many social service transportation entities and jurisdictions...

S.E. Epler, President, Fremont Chamber of Commerce:

The draft plan proposes that some of the goals will be achieved by increasing certain costs so as to discourage the use of the automobile. We don't feel that sufficient consideration has been given to the fact that this technique will simply not work for many people because they have cost of living adjustments, in one form or another, with their employers...

Richard T. LaPointe, Mayor, City of Concord: "As the MTC representative to the EMTF, I also wanted you to know that the Commission also intends not to concede any of its mandated powers to ABAG and will adopt only those elements of the plan that are already embodied in our regional plan."

RESPONSE:

MTC staff notes that many of these ideas are under study by MTC. However, funding would be a major impediment to implementation.

Proposed revisions to the actions deemphasize pricing as a disincentive.

ABAG staff indicates that the transportation actions were developed by the MTC staff, not ABAG staff. The actions will be revised as a result of MTC actions on these measures. The draft plan does not propose that ABAG assume any powers of MTC, and recommends continuation of the existing agreements for cooperative planning.

AIR QUALITY GENERAL POLICY III - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

INDIVIDUAL/COMMENT:

Peninsula Manufacturers Association:

Having reviewed the draft AQMP, then the Bay Area Council's changes, we found that our reactions and ideas closely coincide with those expressed by them.

City of Newark: Recommend that actions 8-13 be replaced by "Action 8: Analyze the potential for further reduction of motor vehicle emissions through imposition of the following transportation controls: Actions 8-13."

Bay Area Lung Associations: "The reduction of auto related pollution, though vital, cannot by itself solve the health problems the imbalance our nation's transportation problems create. Emission control laws cannot provide answers to such problems as these:

1. Finding sufficient fuel for ever expanding automotive population.
2. Curbing urban sprawl.
3. Land demand for roadways and parking facilities.
4. Massive traffic congestion.

Decisions made regarding transportation controls are a first step toward redressing the imbalance in the current transportation pattern that have grave consequences for our population. Actions 8-13 should be instituted at approximately the same time...In diverting auto users to transit, adequate vehicular capacity, provisions for travel times comparable to the automobile at a cost to the rider that is attractive relative to the cost of driving must be considered. Existing transit systems do not have the capacity to achieve large reductions in auto use. Achieving a 10-20% reduction in auto use could require expansion of existing bus fleets by 50%."

RESPONSE:

See response to Bay Area Council.

See proposed modifications recommending deferral of some of the actions to the continuing planning process.

AIR QUALITY GENERAL POLICY III - COMMENTS NOT SPECIFIC TO ACTIONS

INDIVIDUAL/COMMENT:

RESPONSE:

Harry Seraydarian, EPA:

"The proposed land use and transportation measures in the draft plan should be developed into a specif strategy in the final AQMP...The transportation element, as revised to meet the non-attainment area plan requirements...should provide evidence that the control measures listed in Section 105(f) of the Clean Air Act Amendments were give due consideration in the development of the transportation strategy..."

A wide variety of controls were considered; these are listed in Section 5 of the AQMP. Their effectiveness is documented in Tech Memo 23. The EMTF does have the option of choosing to recommend other control measures.

Richard Cole, Association of Environmental Professionals:

13
"Since energy (fuel) limitations could reduce VMT to an unknown and possibly large extent, the effect on HC emission reduction could be an order of magnitude higher than that from 'transportation and compact development' strategies. It appears that the promised energy analysis is an essential ingredient of the overall emission reduction analysis; the AQMP should not be adopted before energy implications have been thoroughly studied and included in it..."

The baseline forecasts assumed an adequate supply of fuel. Staff agrees that the changing energy picture could influence the modal shift. However, postponing an adoption of an AQMP until "energy implications have been thoroughly studied" does not appear to be allowed by the Clean Air Act. Further analytical work on energy/air quality relationships would lead to recommendations for modifying AQMP in the continuing planning process.

AIR QUALITY Transportation Controls Action 8 - Increase tolls on bridges

INDIVIDUAL/COMMENT:

City of Milpitas:

We oppose this action. Our opposition...is on the basis that it is unnecessary to introduce such stringent artificial inducements when the rising price of gasoline, automobile purchases and their repair will, we feel, move the public in the same directions that you propose."

San Jose Chamber of Commerce: Support.

14
San Mateo County Council of Mayors: Add "...to offset the costs of needed public transportation. Should be applied only when buses or other alternative transportation is available."

City of Santa Clara: Support. Gas tax would be more equitable.

League of Women Voters of the Bay Area: Supported increase in bridge tolls last year.

Contra Costa County Board of Supervisors

"At this time, it would be premature to support or oppose this Action until more is known about the timing of the increase and how this increase in revenues would be utilized...ABAG is requested to provide more information on the use and distribution of new revenue that would result from this Action."

RESPONSE:

MTC staff has recommended deletion of Actions 8 and 9 based on MTC Work Program Committee recommendations.

None needed.

MTC staff has recommended deletion of Actions 8 and 9 based on MTC Work Program Committee recommendations.

See response to City of Milpitas. MTC staff agrees a gas tax would be more equitable. Additional State legislation would be needed.

None needed.

MTC staff has recommended deletion of Actions 8 and 9. Money would be used to support transit service improvements recommended as Action 11. Tolls would be increased under the draft plan in 1980.

AIR QUALITY Transportation Controls Action 8(continued)

INDIVIDUAL/COMMENT:

RESPONSE:

Charles Kinney, Counselor, Associated Building Industry of Northern California

Modify to "Increase tolls on bridges with mitigation measures for poor/those lacking alternatives."

Staff has recommended deletion of Action 8

Wayne Hoffman, Natural Resources Defense Council

Modify to this: "Establish a phased toll increase for all Bay Area toll bridges with the 5-year objective of providing effective disincentives for single occupancy autos during peak periods and providing a major source of transit revenues..."

MTC supports a tax levied against all autos to support public transit.

Comment: "...tolls should be set to stay ahead of inflation and to the extent possible should reflect the "full cost of driving", including pollution, congestion and energy costs. Highest tolls should be paid during peak periods..."

California Council for Environmental and Economic Balance

The Council does not feel there is sufficient information to make a recommendation..."

MTC Staff has recommended deletion of Actions 8 and 9.

Santa Clara County Board of Supervisors

On Action 8: "Support."

San Mateo County Board of Supervisors: Modify by adding "...to offset the costs of needed public transportation. Should be applied only when buses or other alternative transportation is available."

See response to San Mateo County Council of Mayors. MTC staff has recommended deletion of Action 8.

15

AIR QUALITY TRANSPORTATION CONTROLS ACTION 8 (continued)

INDIVIDUAL/COMMENT:

Bay Area Council: Recommend deferring to CPP.

Rossmoor Residents Association: Disagree-at least until more is known about the timing of the increase and how this increase in revenue would be spent.

Planning Policy Committee of Santa Clara County: Support.

Supervisor Arnold Baptiste, Marin County: Adopt with modification to read "...to discourage single rider weekday commuters."

San Francisco Tomorrow: Plan should state that the increased bridge fares are for the purpose of increasing transit service and not to raise money. Consideration should also be given to higher bridge fares during commute hours.

Wilred W. Russell, California Institute of Public Transportation:

Delete this action.

City of Clayton: "The use of increased bridge tolls to pay a major part of the cost of increased levels of mass transit puts an undue burden on the 6% of the commuters who use the bridges. A fairer way to distribute the costs would be a direct gasoline tax."

City of Hayward: The city has "great skepticism of the efficiency of action."

RESPONSE:

MTC staff has recommended deletion of Action 8.

Money would be spent for transit improvements. Timing was indicated in draft plan to be 1980. MTC staff has recommended deletion of this action.

None needed.

MTC staff has recommended deletion of Action 8.

MTC staff notes that toll bridge legislation requires that excess funds be used for funding alternatives to the single-occupant automobile.

Staff has recommended deletion of Action 8.

MTC staff indicates this agrees with staff recommendation.

MTC staff recommends deletion of Action 8.

AIR QUALITY TRANSPORTATION CONTROLS ACTION 8 (continued)

INDIVIDUAL/COMMENT:

City of Oakland staff: "The equity within the region of raising transportation monies from trans-bay bridges is debatable. The effect on those who for various reasons must use automobile transportation is very direct."

RESPONSE:

MTC staff has recommended deletion of action.

AIR QUALITY Transportation Controls Action 9

INDIVIDUAL/COMMENT:

City of Milpitas: Oppose

San Jose Chamber of Commerce: "We urge deletion because it would have a significant negative effect on the City of San Jose's efforts to rebuild a strong downtown area."

San Mateo County Council of Mayors: Recommend deletion. Would have minimal impact on San Mateo County. "It is unclear that a parking tax would be an effective air quality strategy."

City of Santa Clara: Oppose. Most ineffective unless applied to parking spaces at places of employment.

League of Women Voters of the Bay Area: Support disincentives to discourage single-occupancy vehicle use.

Contra Costa County Board of Supervisors

Manipulation local parking facilities and charging the public for their use, as proposed in Action 9, is a controversial matter that would be difficult to implement and could result in marginal air quality benefits. The difficulties are well illustrated by the public uproar over similar measures in the parking management plans that were proposed a few years ago..
Defer consideration of Action 9 to the continuing planning program."

RESPONSE:

MTC staff has recommended deletion of Actions 8 and 9 based on MTC Work Program Committee recommendations.

See response to City of Milpitas.

See response to City of Milpitas.

See response to City of Milpitas.

None needed.

Deferral of this action to the continuing planning process would be accomplished by staff recommendation of MTC.

AIR QUALITY Transportation Controls Action 9 (continued)

INDIVIDUAL/COMMENT:

Modify to "Implement parking strategy to discourage private high-occupancy auto use after studies as to alternative transportation."

California Council for Environmental and Economic Balance

"The Council does not feel there is sufficient information to make a recommendation..."

Santa Clara County Board of Supervisors

On Action 9: "Oppose. As this action is presently described in the Draft Plan, the only place in Santa Clara County that would be affected would be downtown San Jose, which would be placed at a competitive disadvantage relative to other commercial and industrial areas of the County. Thus, in Santa Clara County, this would serve to inhibit the revitalization of the County's largest urban center. This is exactly the opposite effect from what the land use and development policies of the Plan are intended to accomplish."

San Mateo County Board of Supervisors: Delete.
Minimal impact on county.

Rossmore Residents Association: Difficult to implement and an unfair burden on low and medium income people.

Santa Clara PPC: Oppose. Would place downtown San Jose at competitive disadvantage relative to other areas of county...Just exactly opposite effect from what land use and development policies trying to accomplish.

RESPONSE:

MTC Staff has recommended deletion of Actions 8 and 9...

MTC staff has recommended deletion of Action 9.

MTC staff has recommended deletion of action.

See response to Santa Clara County Board of Supervisors.

AIR QUALITY TRANSPORTATION CONTROLS ACTION 9 (continued)

INDIVIDUAL/COMMENT:

City of Cupertino: Oppose. "The only city that would be affected here is San Jose's downtown. The policy should be applied uniformly...or not be applied at all."

Supervisor Arnold Baptiste, Marin County: Recommend deletion. Effectiveness not documented. Could interfere with park and ride transit services.

20
Mayor George Moscone, San Francisco: "I have no problem conceptually with the implementation of a parking tax as a method to discourage long-term commuter parking or as a method to raise funds for transit services... Preferential parking is not a solution....I also have serious questions about how such a tax would be administered."

San Francisco Tomorrow: "Parking taxes, perhaps an annual fee based on the number of stalls, should be levies on all stalls provided free by employers for their employees, taking into account the availability of transit. A flat fee should be charged on all parking stalls which are not regulated, for example, shopping center lots. A tax should be imposed on all parking lots and garages whether used on an hourly or monthly basis. Attention should be given to the fact that an inequitable parking tax system may create a situation where urban merchants and businesses lose customers to areas which have no parking taxes."

Wilfred W. Russell, California Institute of Public Transportation: Delete.

City of Hayward: Delete.

RESPONSE:

MTC staff recommends deletion of action.

MTC staff recommends deletion of action.

MTC staff recommends deletion of action.

MTC staff recommends deletion of action.

MTC staff recommends deletion of action.

MTC staff recommends deletion of action.

AIR QUALITY TRANSPORTATION CONTROLS Action 9 (continued)

INDIVIDUAL/COMMENT:

S.E. Epler, Fremont Chamber of Commerce:

"In Fremont we have spent a lot of money, time and effort to make sure that ample parking is provided. We have been successful in this as evidenced by the fact that we have no parking meters nor parking lots which require payment of a fee. It is indeed a bitter pill that after having been so successful in this effort we would be forced to have parking lot taxes imposed upon us by an outside agency."

21
City of Oakland staff: "The persons requiring the use of an automobile would be penalized." Administration would cost city \$75-100,000. "This could also provide a slight economic edge to large suburban employers who would provide free employee parking and a detriment to city center employers."

RESPONSE:

MTC staff recommends deletion of action 9.

MTC staff recommends deletion of Action 9.

AIR QUALITY Transportation Controls Action 10

INDIVIDUAL/COMMENT:

City of Milpitas: Support.

San Jose Chamber of Commerce: Support.

San Mateo County Council of Mayors: Clarify extent of local discretion on implementation.

City of Santa Clara: Support.

League of Women Voters of the Bay Area: Support.

Contra Costa County Board of Supervisors
Action 10 will be far less controversial to attempt, but difficult to enforce (witness the current misuse of parking stalls intended for the handicapped), but it can be left in the EMP...Accept Action 10."

Charles Kinney, Counselor, Associated Building Industry of Northern California

Modify to "Implement parking strategy to discourage private high-occupancy auto use after studies as to alternative transportation.

California Council for Environmental and Economic Balance

The Council does not feel there is sufficient information to make recommendation...

RESPONSE:

None needed.

None needed.

MTC staff agrees that Action 10 is generally a local responsibility, and that detailed procedures needed to be worked out.

None needed.

None needed.

MTC Staff recognizes that Actions 10 and 12 need to be specified in greater detail. These actions should be viewed as concepts for approval.

AIR QUALITY Transportation Controls Action 10 (continued)

INDIVIDUAL/COMMENT:

Santa Clara County Board of Supervisors

On Action 10: "Support."

San Mateo Board of Supervisors: Modify. Clarify extent of local discretion of implementation.

Rossmoor Residents Association: Difficult to implement and an unfair burden on low and medium income people.

Supervisor Arnold Baptiste: Adopt.

City of Hayward: Delete. City has "great skepticism of efficiency" of action.

City of Oakland Staff: "The intent is reasonable. the mechanics will require careful though (e.g. including modification of local ordinances.)"

RESPONSE:

None needed.

See response to San Mateo County Council of Mayors.

None needed.

MTC staff agrees.

23

AIR QUALITY Transportation Controls Action 11

INDIVIDUAL/COMMENT:

City of Milpitas: Although we support this action, we do not support funding from parking taxes or toll increases.

San Jose Chamber of Commerce: Support.

San Mateo County Council of Mayors: Modify to "Provide additional transit service commensurate with needs."

City of Santa Clara: Support.

24 League of Women Voters of the Bay Area: Strong support. Recommend State highway and Federal discretionary funds be used for transit improvements.

Contra Costa County Board of Supervisors
MTC staff should work with the counties and cities to provide their estimates of where new transit service is feasible and test these increases in capacity as a trade-off against other more controversial actions now proposed in the EMP. ABAG staff should undertake this as a high priority work item. Recommendation: 1. Accept the Action statement. 2. Amend the accompanying descriptive material. Amendment: ABAG staff should estimate the effects of increased transit use on reducing air pollution levels."

California Council for Environmental and Economic Balance: "Support."

Santa Clara County PPC: Support.

RESPONSE:

See MTC proposed **modifications** below.

None needed.

See MTC proposed modification below.

None needed.

None needed.

MTC staff agrees that additional transit service would be desirable, but its effectiveness would be burdened by current land development policies. Staff has recommended strengthening Action 11 to achieve a higher transit usage.

None needed.

None needed.

AIR QUALITY Transportation Controls Action 11 (continued)

INDIVIDUAL/COMMENT:

RESPONSE:

Charles Kinney, Counselor, Associated Building
Industry of Northern California

Modify to Provide additional transit service if
cost-effective."

Wayne Hoffman, Natural Resources Defense Council

25
Comment: "The recommended transit improvements
in the draft AQMP are woefully inadequate. The
key to any successful transportation control pro-
gram is the provision of a viable alternative to
the automobile..." Recommendation". Modify to
"Increase transit service throughout the region
to the extent that at least 30% of all Bay
Area work trips are carried by transit by 1985.
Increased transit capacity should also be set up
in a manner that effectively increases off-peak
ridership(such as the presently proposed develop-
ment of a grid system for the San Francisco Muni)
The above stated goal is not unreasonable con-
sidering tha Santa Clara County, with one of
the poorest public transportation systems in
the Bay Area, has established a goal of 33% of its
work trips by public transportation by 1990. The
beginning of the six-year expansion program should
be 1979. Many revenue sources will be needed to
accomplish this goal. Revenue sources to be pur-
sued should be ridge tolls, parking taxes, local
gas tax options, federal highway trust fund monies,
and commuter taxes in addition to those sources
on page VI-138. Thus the sources should also be
added to the list on page VI-138.

Staff has proposed revisions which recognize
that standards must be set. A revised goal
of 35% has been suggested.

AIR QUALITY Transportation Controls Action 11(continued)

INDIVIDUAL/COMMENT:

RESPONSE:

Santa Clara County Board of Supervisors

On Action 11: "Support."

San Mateo County Board of Supervisors: Modify with
"Provide additional transit service commensurate with
needs."

MTC staff agrees. See MTC staff proposed
modification of Action 11.

Rossmoor Residents Association: Agree.

None needed.

Supervisor Arnold Baptiste, Marin County: Adopt.

None needed.

26
San Francisco Tomorrow: "This policy should emphasize
that there should be a substantial increase in (not
just 20%) and upgrading of transit service. Many areas
have no service and other areas have deteriorated
service. In both cases, substantial increases in
ridership can be obtained which will reduce the
dependence on the automobile. The plan should be
define what is mena by increase in transit. For example,
it could mean increase in vehicles, scheduled service
or patronage."

MTC staff recommendation agrees with this comment.

City of Hayward: Delete.

City of Oakland staff: "20% may be goal, but
transit service increases should be tied to funding
sources, otherwise cities might be forced into making
up difference."

Staff agrees.

Bay Area Lung Associations: Action should receive a
high priority. "The Lung Association recommends the
inclusion of rail transit for consideration in Action
11 as a clean and efficient form of transit...We strongly
recommend the AQMP address the need for continuing and
upgrading of Peninsula commute service."

MTC staff agrees. Recent MTC study has reaffirmed
need for upgrading Peninsula commute service. Implementation
is under way.

AIR QUALITY Transportation Controls Action 12

INDIVIDUAL/COMMENT:

RESPONSE:

San Jose Chamber of Commerce: Support.

None needed.

San Mateo County Council of Mayors: Support.

None needed.

City of Santa Clara: Support. CHP enforcement on expressways.

None needed.

League of Women Voters of the Bay Area: Support.

None needed.

Contra Costa County Board of Supervisors:
It is possible to support these programs, but a clarification should be added that any new carpool lanes shall be constructed for that purpose and not be taken from existing roadway capacity..."

Agrees with MTC staff Recommendations

Charles Kinney, Counselor, Associated Building Industry of Northern California

Modify to "Increase bus and carpool lanes/ramp metering where appropriate."

Agree

Wayne Hoffman, Natural Resources Defense Council

"Again the proposed additional three bus/carpool lanes by 1985 is an insignificant emission reducing measure. Recommendation: The following language should be substituted for that now provided on Action 12... Provide additional bus and carpool lanes and ramp metering on selected freeways and freeway segments throughout the Bay Area. To the extent possible, the bus/carpool lanes should be provided from existing freeway lanes. The following routes should be provided with preferential treatment for buses and carpools: Route 580 from Route 24 to the Bay Bridge; Route 80 from San Pablo Road to downtown San Francisco; Route 101 from San Francisco Airport to downtown San Francisco; Other routes as determined feasible.

The recommended revisions recognize that these decisions need to be made on a project-specific basis.

AIR QUALITY Transportation Controls Action 12(continued)

INDIVIDUAL/COMMENT:

RESPONSE:

Wayne Hoffman, Natural Resources Defense Council

The establishment of preferential lanes on existing lanes should be set within a five-year time frame due to required planning, construction and funding approval..."

On an additional action: Add a new action: "MTC evaluates and considers aspart of the continuing planning process a program for adopting tolls on Bay Area freeways which reflect the "full costs of driving." The efforts to establish tolls on bridges which more accurately reflect congestion, pollution and energy costs should be useful. This effort will be required under regulations of the Clean Air Act due on August 7, 1978."

MTC staff agrees that there are hidden public subsidies to automobile travel. Because of the difficulty of implementing changes to the tax/fiscal structure in the short term, we proposed transportation controls which seemed less controversial and hence, more implementable. This subject could be studied in the continuing planning process.

California Council for Environmental and Economic Balance

The Council does not feel there is sufficient information to make a recommendation..."

MTC staff recognizes that Actions 10 and 12 need to be specified in greater detail. These actions should be viewed as concepts for approval.

Santa Clara County Board of Supervisors

On Action 12: "Support." None of the exclusive bus and carpool lanes proposed in the plan are located in Santa Clara County."

None needed/

San Mateo County Board of Supervisors: Support.

None needed.

Santa Clara PPC: Support.

None needed.

Supervisor Arnold Baptiste: Amend to read "Increase bus and carpool lanes/ramp metering on selected freeways."

Agrees with staff proposed modifications.

AIR QUALITY TRANSPORTATION CONTROLS ACTION 12 (continued)

INDIVIDUAL/COMMENT:

Rossmoor Residents Association: Disagree. "It is felt that this action would not provide a substantial improvement in air quality in keeping with estimated cost... and would unfairly penalize riders who would not be able to take buses or join carpools if landers are taken from present roadway capacity."

City of Cupertino: "Implementation should be in conjunction with an overall transportation program for the county (i.e., SCVCE)."

City of Hayward: Delete. "If ramp metering were adopted on three of the five on-ramps of Highway 17 in Hayward, the congestion it would cause on local streets would be severe. The pollution from this would probably wipe out any improvement in air quality on the freeway itself."

San Francisco Tomorrow: "Bus and carpool lanes should be taken from existing roadways and no new lanes added to roadways for such purposes."

City of Oakland Staff: "The city would be adversely affected if the ramp metering resulted in backups on local streets in the vicinity of metered locations."

District 4, California Department of Transportation: Detailed technical comments on the individual projects mentioned in the plan.

RESPONSE:

Measure would be appropriate from mobility as well as air quality standpoint.

ABAG and MTC staff agree.

Projects need to be reviewed on an individual basis. See proposed modifications to action.

Projects would be evaluated on an individual basis.

Staff is analyzing these comments and will have to respond to ABAG Executive Board.

AIR QUALITY Transportation Controls Action 13

INDIVIDUAL/COMMENT:

San Jose Chamber of Commerce: "We have no specific position on the auto-free zone in downtown San Francisco, but wish to state it is not a strategy we would like to see applied on a regionwide basis at some future date."

San Mateo County Council of Mayors Support.

Barry R. Horn, Associate Director, Pulmonary Medicine Department, Herrick Memorial Hospital:

30 We would recommend consideration of an auto control zone in San Jose and possibly other areas as well to reduce automobile emissions where pollutants reach dangerously high levels...."

City of Santa Clara: Support.

Contra Costa County Board of Supervisors
No comment or recommendation...

Also recommends the following: "Add an additional Action that reads: "Encourage roadway improvements that will improve efficiency of transportation and help reduce vehicular miles of travel, and which won't induce unwanted growth." Also, have ABAG staff provide the additional conforming text and air quality benefits as tradeoffs for land use controls."

California Council for Environmental and Economic Balance

The Council does not feel there is sufficient information to make a recommendation....

RESPONSE:

None needed.

None needed.

Such a measure might be needed for attainment of the CO standard. A CO control plan will be prepared in the continuing planning process.

None needed.

MTC Staff has suggested inclusion of Action 13 in the continuing planning process.

AIR QUALITY Transportation Controls Action 13(continued)

INDIVIDUAL/COMMENT:

RESPONSE:

Bay Area Lung Associations, Citizens for a Better Environment, League of Women Voters of the Bay Area, National Resources Defense Council, People for Open Space, and Sierra Club

Revise Action 13. Implement auto control zones in central business districts as necessary to reduce traffic. Comment: Usage of the auto control zone is a good strategy for reduction of hydrocarbon and carbon monoxide emissions due to traffic congestion."

Staff suggests that, as part of the continuing planning process, local agencies should investigate the effectiveness and implementability of auto control zones.

Charles Kinney, Counselor, Associated Building Industry of Northern California

Modify to add "when alternatives exist. (Fast/dependable transit.)"

Staff has suggested placing Action 13 in the continuing planning process.

Santa Clara County Board of Supervisors

On Action 13: "Support".

San Mateo Board of Supervisors: Support.

San Francisco Bicycle Coalition: "As far as bicyclists in San Francisco are concerned, the most exciting recommendation of the EMP is establishment of an auto-free zone in the city's central business district..."

Santa Clara County PPC: Support.

None needed.

Supervisor Arnold Baptiste, Marin County: Adopt.

None needed.

San Francisco Tomorrow: "The auto control zone already established in San Francisco should be vigorously enforced." Additionally, auto control zones in other locations should be considered.

MTC staff recommends that San Francisco take the lead on Action 13.

AIR QUALITY TRANSPORTATION CONTROLS ACTION 13 (continued)

INDIVIDUAL/COMMENT:

RESPONSE:

City of Hayward: Delete.

AIR QUALITY Transportation Controls Action 14

INDIVIDUAL/COMMENT:

San Jose Chamber of Commerce: Support.

San Mateo County Council of Mayors: Support.

City of Santa Clara: Support.

League of Women Voters of the Bay Area: Support.

Contra Costa County Board of Supervisors
No comment or recommendation...

Charles Kinney, Counselor, Associated Building
Industry of Northern California "Accept."

California Council for Environmental and
Economic Balance

On Action 14: "Support."

Santa Clara County Board of Supervisors

On Action 14: "Support."

San Mateo County Board of Supervisors: Support.

Rossmoor Residents Association: Support.

Santa Clara County PPC: Support.

Supervisor Arnold Baptiste, Marin County: Adopt.

Bay Area Council: Endorses this action.

City of Hayward: Adopt.

City of Oakland Staff: "Beneficial impact on
Oakland."

RESPONSE:

None needed.

None needed.

None needed.

None needed.

None needed.

None needed.

None needed.

None needed.

None needed.

None needed.

None needed.

None needed.

None needed.

None needed.

None needed.

AIR QUALITY Transportation Controls Action 15

INDIVIDUAL/COMMENT:

San Jose Chamber of Commerce: Support.

San Mateo County Council of Mayors: Support.

City of Santa Clara: Support.

League of Women Voters of the Bay Area: Support.

Charles Kinney, Counselor, Associated Building Industry of Northern California

Modify to "Develop more extensive bicycle systems if costs are justified."

California Council for Environmental and Economic Balance

On Action 15: "Support."

Santa Clara County Board of Supervisors

On Action 15: "Support, with modification. This should be amended to read: "Develop more extensive and safe bicycle systems." As bicycle traffic increases, there will be an increasing need to assure that it can be safely accommodated."

San Mateo County Board of Supervisors: Support.

East Bay Bicycle Coalition: "We applaud ABAG's efforts to incorporate the bicycle as a legitimate mode of transportation, and agree that the bicycle can have an effect on improving air quality in the Bay Area. We think...proposals are not nearly comprehensive enough." Calls for development by MTC of

RESPONSE:

None needed.

None needed.

None needed.

None needed.

AIR QUALITY TRANSPORTATION CONTROLS ACTION 15 (continued)

INDIVIDUAL/COMMENT:

RESPONSE:

East Bay Bicycle Coalition (continued):

comprehensive bicycle plan for Bay Area, including system of routes, plan for parking facilities, bicycle interface with transit, access across physical barriers, and public education acknowledging bicycle as a legitimate mode.

San Francisco Bicycle Coalition:

Half-mile grid as proposed "demeans" EMP...Would likely do little more than increase sales of lane-striping paint..Best dropped from EMP. Recommendation to improve parking and storage facilities is an excellent one, and EMP is to be commended for incorporating it...Lack of such facilities are major impediment to bicycle use...Most glaring omission in the recommendation is failure to even mention bicycle/mass transit interface....

Specific standards and routing of bicycle paths : must be developed in conjunction with local jurisdictions.

Rossmoor Residents Association: This action would seem to be a safety hazard and not worth the risk.

The measure as proposed would seek to improve the safety aspects of bicycling.

Santa Clara PPC: Support with modification to ensure that bicycle travel increases can be safely accommodated.

None needed. See proposed modification to action.

Supervisor Arnold Baptiste, Marin County: Adopt.

None needed.

City of Hayward: Adopt.

None needed.

City of Oakland staff: "City is already starting to provide secure bicycle storage in municipal facilities; more could be done to require such facilities in private firms. The establishment of bicycle lanes at quarter mile intervals could result in significant capital outlay in terms of striping, signing, maintenance and possible loss of curbside parking for bike lanes. No funding source is suggested in the EMTF plan."

Staff recommended modifications recommend development of objectives and monitoring to gauge the desirable rate of expansion.

AIR QUALITY GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL POLICIES OR ACTIONS

INDIVIDUAL/COMMENT:

Bay Area Council: The Council recommends that these measures be further studied during the continuing planning process. While these measures may not be necessary for attainment of the standard, they may be necessary for maintenance.

Metropolitan Transportation Commission Work Program and Plan Revision Committee:

"MTC will use its funding and project approval power to support compliance with the final land use plan as adopted by ABAG and included in the AQMP."

Mayor George Moscone, San Francisco: "I have grave concern about some of the land use controls. I would like to see the language relating to the indirect source review proposal further developed before I could support it...I have serious problems with the vagueness of the sections having to do with density. I have been told by ABAG staff that much of the land use section does not apply to San Francisco. ...it is not clear what does, and what does not, and I would think State and Federal agencies might have similar questions. I would like to have the language of the land use section clarified."

Association of Environmental Professionals:
Consideration should be given to replacing land use and transportation controls with addition offset provisions on stationary sources, such as instead of a 20% offset, a 40% offset.

STAFF RESPONSE:

We agree. See suggested modification sheets.

None needed.

Staff does not agree completely with this view. But because so many people have questions, staff has proposed further analysis of these policies and actions during the continuing planning process.

Offsets should be viewed only as a temporary measure for air quality purposes. Further offsets would be virtually precluded by the implementation of stationary source controls. Further study of land use measures for air quality maintenance in the continuing planning process is proposed.

AIR QUALITY GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL POLICIES OR ACTIONS (continued)

INDIVIDUAL/COMMENT:

Town of Moraga: We recommend that land use controls be deleted from the plan for further study. If this recommendation is not adopted, the plan should clearly indicate that air quality is an important factor but should not automatically determine the outcome.

California Institute for Public Transportation: Compact growth may be unacceptable and difficult to implement. Since the State is in the process of revising its guidelines for transportation planning, the proposals are essentially meaningless as far as transportation is concerned.

Santa Clara County Board of Supervisors: Supports the land use controls, but has redrafted and reorganized the policies and actions.

Fremont Chamber of Commerce: Land use controls must basically remain with local jurisdictions. This position is supported by the fact that both the U.S. Congress and California Legislature have specifically refused to get involved with land use planning.

STAFF RESPONSE:

See suggested modifications sheet proposing further study of land use in the continuing planning process. We agree with the comment that air quality is only one of the considerations in making land use decisions.

We agree that compact growth may take a lengthy period to implement, although some jurisdictions are already doing so. The draft plan called for implementation to begin soon, but its effects for air quality could not be estimated to be substantial in the short-term, and even in the long-term would not be a larger percentage of the emissions reductions necessary to attain the oxidant standard and maintain it. With respect to transportation, ABAG's view is that land use decisions should precede transportation decisions and not vice versa. MTC agrees with that view through a memorandum of understanding with ABAG.

Generally the language suggested does clarify some of the problems with the draft plan. However, since many comments call for these policies and actions to be considered further in the continuing planning process, staff has indicated changes for discussion to accommodate most comments--with the land use policies and actions identified for the purpose of maintaining the standard for oxidant, and further analyzed during the continuing planning process. Santa Clara County's language would be helpful in that process.

Land use controls recommended in the air quality plan basically do remain with local jurisdictions. Regarding the lack of willingness on the part of Congress and the Legislature to "get involved with land use planning", this is a matter of interpretation. BCDC, the RWQCB, and other State-created agencies have land use authority. Major Federal funding programs are specifically land-use related.

AIR QUALITY GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL POLICIES OR ACTIONS

INDIVIDUAL/COMMENT:

Fremont Chamber of Commerce (continued):

The EMP must encourage, not discourage, the location of industry close to the areas where people reside...shorter commuting distances will substantially reduce air pollution and certain types of other pollution and will decrease the consumption of energy...The importance of this particular concept cannot be overstated."

Judith Kunofsky: Supports land use measures.

"We cannot rely only on such measures (stationary and mobile source controls) and ignore the distribution of people and jobs in the region, which is a major determinant of transit use and efficiency....ABAG staff has repeatedly stated that the densities involved essentially preserve the same type of structure as currently zoned. The spectre of 'forcing' people to live in intolerable conditions is nonsense and has nothing to do with the proposals in this plan...Even if we accepted a strategy to supposedly keep housing prices down by continued sprawl, we would need to look for another approach within a few years... I have been appalled at the negativism I have heard...The proposals are pro-growth. They accommodate a substantial amount of growth in population, jobs and housing...they do so better than current trends do. In addition, they protect public health."

City of Newark: Recommends general policy be deleted and replaced with "Investigate the viability and economic feasibility of utilization of various land-use controls to improve air quality in the region."

STAFF RESPONSE:

We agree wholeheartedly. This has been the intent of the compact development actions recommended by this plan.

None needed.

Staff does not disagree with this suggestion. Further investigation of the land use measures is permitted during the continuing planning process, as long as the plan identifies that they are, based on current information, necessary for maintaining the oxidant standard after 1987.

GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL POLICIES OR ACTIONS

INDIVIDUAL/COMMENT:

Bay Area Lung Associations: "We strongly agree with the concept of compact development which emphasizes reduced auto dependency...We urge inclusion in the AQMP of policy recommending enabling legislation for the development of an air quality element in local plans."

California Department of Transportation: We suggest rewording policy to indicate that "reductions" are from the amount of auto travel forecast without compact growth and are not an absolute reduction. The DEIR shows no alternatives for the land use controls. The General Assembly on the basis of the DEIR as written could not choose substitute control measures to make up for the 12% VMT reduction of compact growth.

Contra Costa County Board of Supervisors:

Recommends deletion of the land use controls and substitution by additional transit service and encouragement of roadway improvements that improve efficiency of transportation and help reduce vehicular miles traveled and which won't induce unwanted growth.

No estimates of direct benefits in terms of hydrocarbon reductions to 1985 or 2000 are given, and the estimate for all sixteen air quality policies and 49 action items yield an estimated 24 tons/day reduction by 1990 when compared to the estimated 545 or 604 tons/day reduction required by that time.

STAFF RESPONSE:

We do not believe an air quality element in local general plans is required, especially since analysis indicates very little an individual jurisdiction can do to improve air quality by development actions. Taken as a whole, however, land use actions by cities and counties can have a measurable impact on air quality.

We agree that this is the case. The alternative to land use measures included in the plan is current programs. These are assessed in AQMP Tech Memo 15-Assessment/Evaluation 4; with one exception, no alternative has been proposed to make up the difference in hydrocarbon reductions that are estimated to occur if compact growth is implemented. That alternative--increasing transit service--is being assessed and will be discussed in the EIR.

Estimates are given in the year 2000, because full implementation was to be achieved. No benefits are shown for any control measure in 1990. The estimated reductions of 24 tons/day can only be compared to the 545 tons/day required. The emission reductions would be higher if the region's population is 6.1 million in the year 2000. The exact number has not been estimated.

GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL POLICIES OR ACTIONS (continued)

INDIVIDUAL/COMMENT:

Contra Costa County Board of Supervisors:

The draft EMP does not contain detail on the air quality plan. The available technical reports and briefs fail to show, in-depth, the criteria and assumptions that went into the EMP modeling process...

No clearcut relationship between these policies and air quality has been established.

STAFF RESPONSE:

The air quality chapter is approximately 200 pages of the entire Volume I of the plan. Technical assumptions, detailed modeling results, etc., are included in 24 technical memoranda, three issue papers, and four EMP briefs. An annotated bibliography of these and other AQMP reports covers 11 pages. We disagree that there has been a lack of detail on the AQMP.

Based on extensive analysis, staff believes these measures are necessary for maintenance of the oxidant standard after 1987. If they are deleted from the plan, and not replaced, region is not likely to maintain the oxidant standard after 1987.

Increased transit improvements above the 20% level called for by the plan can only be supported by densities appropriate to transit service. Average densities higher than those of current densities in outlying suburban areas would be required to support transit services called for by the county's staff. Even that, of course, would not guarantee ridership. More modest goals of 20% improvement in transit availability, together with modest density increases for new development regionwide, are achievable. A higher increase in transit availability, without corresponding actions on the part of cities and counties to take land use actions to make transit service realistic, cannot, based on current information, be expected to make up the difference of 24 tons per day in the year 2000. Transit service improvements must, if they are to work, be made to work with land use.

GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL POLICIES OR ACTIONS (continued)

INDIVIDUAL/COMMENT:

City of Milpitas: Land use controls constitute a real "overkill" and are obviously unnecessary to achieve your environmental goals.

San Jose Chamber of Commerce: Oppose land use controls for air quality alone. Recommend deletion. If land use policies are included in EMP, then air quality will become the single, overriding factor. ABAG, CARB and EPA will have the final say in land use decisions. Local government, responsive to the people, and accountable to the people, will have nothing to say.

San Mateo Council of Mayors: Recommends deletion of land use measures.

Planning Policy Committee of Santa Clara County: PPC is opposed to implementation of the land use controls until there is further study.

City of Santa Clara: Controls proposed are marginally effective and economically and socially disruptive. Ignores special problems, does not allow for community choice.

STAFF RESPONSE:

The environmental goals are meet the requirements of the Clean Air Act. This act requires a numerical demonstration of attainment and maintenance of the standard for oxidant by 1987 and maintenance thereafter. Analysis indicates land use controls are necessary for maintenance of the standard after 1987.

If carefully worded, local control can be preserved. This issue needs further examination in the continuing planning process, and for that reason is explicitly proposed now for identification but not adoption. Land use measures, based on current information, are necessary for maintenance of the oxidant standard after 1987.

See reponse to San Jose Chamber of Commerce.

See response to San Jose Chamber of Commerce.

Intent is for local governments to consider policies proposed and determine which policies they can implement. Disagree that the plan doesnot allow communities to make the decisions.

AIR QUALITY GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL POLICIES OR ACTIONS

INDIVIDUAL/COMMENT:

Mid-Peninsula Citizens for Fair Housing:

Urges that proceed with caution to make sure that housing will not pay the cost of environmental upgrading.

Town of Woodside: Policies and actions should have a qualifying statement that the policy or action shall be consistent with the agencies' General Plan goals.

City of Antioch: Land use controls should be deleted until their impact and costs can be further examined.

San Francisco Planning and Urban Renewal Association: SPUR supports existing plans and programs to achieve compact growth, but we do not believe these will ipso facto result in a reduction of the home-to-work commute.

Sierra Club, League of Women Voters, Citizens for a Better Environment; Bay Area Lung Associations: Strongly support land use controls; believe they can be adopted by the EMTF at this time. We find it highly supportive of the plan's goals and objectives that the county in which the highest growth is project to occur in the next 15 years agrees with the land use controls. Supports Santa Clara County's redrafted language, with minor modifications. Add plan implementation recommendation about clarifying implementing agencies and time table for carrying out actions.

STAFF RESPONSE:

AQMP Tech Memo 15; Assessment/Evaluation Tech Memo 4 assesses the issue of compact growth and housing. Special mitigation measures are proposed as Policy 0 and its actions.

Generally agree.

We agree that further examination is appropriate, but land use measures must be identified in the plan as necessary for maintaining the oxidant standard after 1987. Deletion of this identification would prevent the region from meeting the requirements of the Clean Air Act.

We agree that they will not ipso facto result in a reduction of the home-to-work commute, or any other trip. They are intended to be conducive to transit improvements called for in the plan.

See modification proposed to respond to all comments.

GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO POLICIES AND ACTIONS (continued)

INDIVIDUAL/COMMENT:

Charles Kinney, Associated Building Industry:
Delete all land use, not justified as a 1987 air quality measure. Detailed comments recommend deletion of each policy and action submitted.

Supervisor Arnold Baptiste, Marin County:
Amend general policy to read "Reduce automobile travel by creating a more compact urban development pattern in the region."

Natural Resources Defense Council: We are greatly concerned about the lack of a sufficient institutional arrangement and insufficient responsibility in implementing the land use measures...A more effective regional approach than can be exercised by ABAG will be necessary to see that regional concerns are adequately address. Detailed language about the land use policies and actions is provided. Institutional recommendations for implementation are included with comments on continuing planning process for the entire EMP.

California Council for Environmental and Economic Balance: "Even a cursory review of the projected emission figures indicate the land use controls are not needed to maintain the oxidant standard. It is the position of CCEEB that the plan's land use and compact growth measures are unsubstantiated, unnecessary and unreasonable, and should be deleted from the AQMP." There are too many unanswered questions.

STAFF RESPONSE:

Never intended as an attainment measure; necessary that they be identified as maintenance measures after 1987. See change suggested for EMTF consideration. Other specific to policies and actions are noted.

No objection to this language.

See suggested modifications to land use policies for the continuing planning process. Institutional recommendations are covered in comments on chapter IX of the plan, to be discussed March 8 by EMTF.

We disagree completely with CCEEB that a cursory review of the emission figures indicates the land use measures are not needed to maintain the standard. Based on the detailed technical analysis, the land use measures are clearly necessary to be identified as necessary to maintain the standard after 1987. Modification based on comments received suggests a prudent course is to undertake further analysis of the land use measures, and that is proposed. But staff cannot indicate agreement that such measures are "unsubstantiated, unnecessary and unreasonable." These are clearly matters of opinion over which there can be considerable disagreement.

GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL POLICIES OR ACTIONS (continued)

INDIVIDUAL/COMMENT:

City of Daly City: Recommend land use measures be deleted from the plan. This has significant impacts on local development and land use and removes much of the land use controls from local government general plans.

City of Hercules: Land use controls should be deleted from the plan as being contrary to law and custom. Land use controls, as proposed, would be disruptive of society and cause severe economic damage.

City of Cupertino: Supports revisions recommended by the County Board of Supervisors of Santa Clara County. In addition, city opposed actions 9-10, Policy D, Actions 12-13; and Policy I, Actions 28-29.

County of San Mateo Board of Supervisors: Supports goal of attaining mandated air quality standards and agrees to cooperate in a regional land management effort to achieve this goal as long as city and county governments retain intact their present authority over land use controls. Recommends adoption of Policy P, with other policies and actions in the land use segment of the AQMP considered guidelines for local jurisdictions in implementing the goal.

City of Menlo Park: We feel that the plan's approach to land use should be in the form of guidelines rather than mandatory regional requirements, and should stress consistency with local general or comprehensive plans.

STAFF RESPONSE:

Staff does not agree. Further analysis of the land use measures is recommended in the continuing planning process. Land use measures are necessary to maintain the oxidant standard after 1987.

We disagree. See comment above.

None needed. See proposed modification to policy.

None needed. See proposed modification to policy.

None needed. See proposed modification to policy.

POLICY A - EXTEND NEW DEVELOPMENT ONLY TO THOSE LOCATIONS WITH EXISTING SERVICES AND ACTIONS 1-5

INDIVIDUAL/COMMENT:

City of Hayward: Concur with Actions 1-3.
Actions 4-5 do not apply to city.

Councilman Fred Maggiora/Oakland City Staff:
This policy has no adverse effect on Oakland.

Contra Costa County Board of Supervisors:
Action 1 is well under way in most Bay Area
Counties. Recommend deletion.

Action 2
Action 3

For those counties that adopted tight spheres
of influence, LAFCOs would be required to redo
much of these existing effort, and this would
require new legislation...most sphere-of-influence
efforts reflect adopted city and county general
plans which tend to restrict sprawl, provide
guidance on where growth may go, and are the
statutory basis for local government capital
improvement programs (not LAFCO plans). Recommend
deletion.

Action 4-Most local jurisdictions have done
this. This is especially true for the counties.
Current emphasis is on tightening zoning and
subdivision requirements. Recommend deletion.

Action 5-This action does not recognize the
extent of accomplishment cited in comments on
Action 4 above...Further it implies that most
jurisdictions have major areas planned for
urban expansion. ABAG studies, however, claim
most developable land will be consumed by 1990.
That, if true, eliminates need for this action.

STAFF RESPONSE:

None needed.

None needed.

Agree that it is under way. Action calls for LAFCO
completion as soon as possible.

We disagree that existing general plans taken as a whole
in the region restrict sprawl. These actions have
nothing to do with LAFCO plans being the statutory
basis for capital improvement programs. There is no
reference anywhere in the policies or actions of
LAFCOs having "plans."

The fact that jurisdictions are doing so does not
in and of itself mean the action should be deleted.

Generally disagree. No implication that "most jurisdictions"
have major areas planned for urban expansion. But some
do. Where appropriate, cities and counties could follow
this action. The fact that most developable land would
be consumed by 1990 has nothing to do with "temporary"
moratoria until non-urban zoning is adopted.

POLICY A - EXTEND NEW DEVELOPMENT... AND ACTIONS 1-5 (continued)

INDIVIDUAL/COMMENT:

City of Milpitas: Support.

Town of Los Gatos: Considered acceptable.

City of Santa Clara: Support.

League of Women Voters of the Bay Area: Support.

Town of Woodside: Amend Policy A by adding
"or providing sewer and water service by other
technically acceptable means."

Supervisor Arnold Baptiste, Marin County:

Amend to read: "Extend new development only to
those locations indicated for development in
spheres of influence, urban service area
plans and local county and city general plans."

Amend Action 2 to indicate definition of
urban service area and should be consistent
with county and city general plans.

Support other actions, with action 5 amended
to read: "Counties and cities enact interim
measures as necessary to eliminate premature
development beyond 'urban service areas'
until appropriate land use controls are adopted."

STAFF RESPONSE:

None needed.

None needed.

None needed.

None needed.

May be inconsistent with WQ plan. This would require
further examination.

No objection.

POLICY B - RESTRICT DEVELOPMENT OUTSIDE URBAN SERVICE AREAS IN AREAS OF CRITICAL ENVIRONMENTAL CONCERN AND ACTIONS 6-8

INDIVIDUAL/COMMENT:

City of Hayward: Actions 6-8 apply to more rural areas than Hayward. Do they apply anywhere in the Bay Area?

Councilman Fred Maggiora/Oakland City Staff:
Appears to have no adverse effect on Oakland.

George S. Nolte and Associates for Mort MacLeod:
Much more needs to be stated on the subject of rural lands. Planners cannot assume that 40-acre zoning will solve or minimize problems in non-urban areas...

Contra Costa County Board of Supervisors:
Programs are already available. These can yield undesired results depending on how they are used: leap-frog growth, limitation on density for an area, and long-range problems on making the land available for development when urban services areas are expanded for future growth. These negative air quality impacts might outweigh the benefits depending on the criteria used to analyze their air quality impacts. Recommend deletion.

City of Milpitas: Support.

Town of Los Gatos: Considered acceptable, except 40-acre minimum lot size should be local option. Action 8 is not economically feasible.

City of Santa Clara: Support.

STAFF RESPONSE:

Yes, in many locations.

None needed.

The 40-acre figure cited was an example, not a prescription.

We don't disagree that undesirable impacts can occur. These actions, of course, don't, in and of themselves, have undesirable "air quality impacts." The air quality effects may be attributed only indirectly to the development actions. Development actions can minimize indirect air quality effects--the very point the land use measures are designed for.

None needed.

Word "generally" is used to indicate an example. Local option on exact size would be retained. Action 8 is probably not economically feasible unless Federal and State assistance as sought by Policy 0.

None needed.

POLICY B - RESTRICT DEVELOPMENT OUTSIDE URBAN SERVICE AREAS...AND ACTIONS 6-8

INDIVIDUAL/COMMENT:

League of Women Voters of the Bay Area: Support.

Supervisor Arnold Baptiste, Marin County: Support.

Landal Institute for Land Use Research: Recommends the addition of 4 actions to this policy, calling for cities and counties to encourage the establishment of municipal farmers' markets; counties to provide training to one or more planning department staff in agricultural land use planning; counties to arrange funding for UC Cooperative Extension agency to ensure use of best possible university research to the special problems of the small-scale urban fringe farmer; and counties to encourage the expansion of agricultural course offerings in local high schools and community colleges.

STAFF RESPONSE:

None needed.

None needed.

Not particularly relevant to this particular policy; should be considered under economic development policies regarding agricultural industries in the ABAG regional plan.

POLICY C - DEVELOP UNIMPROVED LAND WITHIN URBAN SERVICE AREAS WHERE URBAN SERVICES EXIST OR ARE COMMITTED
AND ACTIONS 9-11

INDIVIDUAL/COMMENT:

City of Hayward: Action 9-10 would be acceptable. There is nothing cities like Hayward would like more than to develop our 'skipped-over' land. Action 11 would be unacceptable...The benefits would have to be very sure and very large before Hayward would redo our General Plan for this purpose.

Councilman Fred Maggiora/Oakland City Staff:
No adverse effect on Oakland.

Contra Costa County Board of Supervisors:
This policy may be appropriate in some areas of the region, but it appears contrary to effects of some communities to control their rates of growth. May eliminate long range beneficial use of bypassed land for communities facilities where funding may not presently be available. Development ordinances must comply with the adopted general plan, To show preferential treatment by ordinance would probably require substantial modification to the general plan. The air quality benefits for the three items are not shown to be substantiated. Recommend deletion.

City of Milpitas: Support.

Town of Los Gatos: Generally acceptable.

City of Santa Clara: Support.

STAFF RESPONSE:

Cities would not be required to redo their general plans automatically as a result of implementing action 11.

None needed.

Language as drafted is confusing. No air quality benefits are shown for any individual policy or action. Benefits are shown for compact growth and reduced auto dependency which can be achieved by all the actions taken as a whole.

None needed.

None needed.

None needed.

POLICY C - DEVELOP UNIMPROVED LAND WITHIN URBAN SERVICE AREAS... AND ACTIONS 9-11

INDIVIDUAL/COMMENT:

League of Women Voters of the Bay Area: Support.

STAFF RESPONSE:

None needed.

Supervisor Arnold Baptiste, Marin County: Amend policy to read "Develop unimproved land within urban service areas consistent with county and city general plans and available services." Amend action 11 to read: "Counties and cities consider general plan amendments and rezoning actions where appropriate in order to facilitate development of available lands with existing service capacities."

No objection.

POLICY D - COMPLETE, AS SOON AS POSSIBLE, ALL NEEDED SEWER, WATER OR TRANSPORTATION SERVICE IMPROVEMENTS WITHIN
ADOPTED URBAN SERVICE AREAS AND ACTIONS 12-14

INDIVIDUAL/COMMENT:

City of Hayward: Recommend deletion; most capital improvement programs will be carried out in older suburbs by developers as part of their building activity. It has been many years since bond issues passed that allow advance planning of this type. We do not have that luxury.

Councilman Fred Maggiora/Oakland City Staff:
No adverse effect on Oakland.

California Department of Transportation: MTC has the authority under current law to implement action 13 with respect to transportation. has been working toward meaningful priorities for several years.

Contra Costa County Board of Supervisors:
This policy could be desirable, but actions could be contrary to policy of speeding up completion in areas planned for growth. Recommend deletion Policies A, C and D all require that LAFCOs and ABAG to exercise new kinds of authority that may well be inappropriate to their mandate.

City of Milpitas: Support Policy but do not support Action 12. Suggest you modify to have LAFCOs review city CIPs to ensure that the existing and planned facilities in the urban service area are adequate to meet city development needs prior to annexation.

STAFF RESPONSE:

Not all jurisdictions in the region are the same. For those jurisdictions where such actions are appropriate, carrying out the actions suggested would make development within urban areas easier. The intent of these actions has never been to force each and every jurisdiction to implement each and every action. Taken as a whole, the intent has been to achieve compact development in the region.

None needed.

We agree. MTC should have been listed in action.

Disagree. No requirement is placed on any agency. ABAG is not called upon to do anything for Policy A, and the actions called for under Policies C and D for ABAG are within ABAG's current "review" role. Action 14 is proposed primarily because ABAG ought to "favorably review" grant applications when such applications will support regional policies.

This is a useful suggestion.

POLICY D - COMPLETE NEEDED PUBLIC SERVICE IMPROVEMENTS... (continued)

INDIVIDUAL/COMMENT:

East Bay Municipal Utility District: Policy and actions would have ABAG and LAFCOs involved in determining capital improvement programs.. which exceeds the responsibility of these agencies. Recommend deletion of policy and actions 12-14.

Town of Los Gatos: Generally acceptable..

City of Santa Clara: Support Actions 13 and 14, oppose Action 12.

League of Women Voters of the Bay Area: Actions 12 and 13 state "review" and "report" but not how policy can be implemented.

City of Morgan Hill: Should clarify the role of LAFCO in terms of establishing priorities.

Supervisor Arnold Baptiste: Amend policy to read "Complete, as soon as possible, all needed sewer, water or transportation service improvement necessary to implement urban service areas concept.

Delete Action 12-Counties already provide this service.

Delete Action 13.

Support Action 14.

STAFF RESPONSE:

Only function in the actions is a "review" which is not a "determination. Action 14 is absolutely not outside ABAG's current responsibility.

None needed.

None needed.

Agree, but priorities can only be identified. Completion of projects would be up to individual agencies, subject to availability of funds, etc.

We agree.

No objection.

Not clear that all counties do.

Disagree.

None needed.

POLICY F - INCREASE HOUSING AND JOB OPPORTUNITIES IN EXISTING URBANIZED AREAS BY ENCOURAGING
REBUILDING INTO COMPATIBLY MIXED LAND USES and Actions 17-22

INDIVIDUAL/COMMENT:

San Francisco Tomorrow: This redevelopment should encourage preservation of housing stock and economically viable buildings. Emphasis should also be placed on mixed uses to preclude use of automobiles. The availability of transit should be of prime importance in determining which areas should be upgraded and infilled initially.

City of Hayward: Recommend deletion of this policy. Lacks appropriate tools and resources to effectuate.

Councilman Fred Maggiora/Oakland City Staff:
No adverse effects on Oakland.

Contra Costa County Board of Supervisors:
Policy and actions call for wide ranging efforts that are acceptable and most are now being carried out in at least the larger jurisdictions. But direct relationship to improving air quality is not clear. Recommend deletion.

East Bay Municipal Utility District: Actions 19-21 under policy should be deleted. They appear closely related to Policy D.

STAFF RESPONSE:

Policies taken as a whole would accomplish suggestions.

We agree that resources are not there, but the actions call for Federal and State financial assistance to carry the policy out. Not all jurisdictions would find it desirable to implement this policy and its actions. To the extent that some choose to do so, however, it does help reduce auto-dependent development actions over time.

None needed.

Disagree. This is part of package of actions identified as reasonable to achieve compact development in the region. Compact development, to the extent that it supports efforts to reduce auto dependency and improves transit use, is necessary to maintain the oxidant standard in 1987.

Disagree. Actions 19-21 are not designed to implement Policy D, though they could be used to help achieve that policy. As Action 19 clearly indicates, incentives are not limited to sewer, water and transportation facilities. Difficult to see how this policy affects EBMUD except as it provides services to accommodate growth according to General Plans and other policies of cities and counties in its service area.

POLICY F - INCREASE HOUSING AND JOB OPPORTUNITIES...AND ACTIONS 17-22 (continued)

INDIVIDUAL/COMMENT:

Town of Los Gatos: Basically acceptable.

City of Santa Clara: Support.

League of Women Voters of the Bay Area: Support.

Supervisor Arnold Baptiste: Add "where consistent with county general plans" to policy.

STAFF RESPONSE:

None needed.

None needed.

None needed.

No objection.

POLICY G - ENCOURAGE INFILL DEVELOPMENT OF BYPASSED VACANT LAND AND ACTIONS 23-25

INDIVIDUAL/COMMENT:

City of Hayward: Recommend deletion; lacks appropriate tools and resources to effectuate.

Councilman Fred Maggiora/Oakland City Staff:
No adverse effect on Oakland.

Contra Costa County Board of Supervisors:
Policy G is an urban panacea. Actions calling for use of bypassed lands can generally be supported, however, actual timing decisions on development, in most cases, is up to the private sector and can be influenced only marginally and usually negatively by government as to the timing of development. Calls for use of bypassed urban land must be tempered by other environmental and political factors. Many communities do not meet their park standards or have lands available for other public uses. Encouraging their use may frustrate other public goals. The proposed actions do not specify the extent to which a concerted infill program would improve air quality.

East Bay Municipal Utility District: Recommend deletion of Action 25, as it appears to actions under policy D.

Town of Los Gatos: Generally in accordance with town policies. However, must be recognized that many parcels have not been developed because of problems. "Development must include solutions to the problems which have prevented the development."

STAFF RESPONSE:

We disagree. Development of bypassed vacant land is one of the key elements in ensuring the development takes place in existing urban areas. If such development does not take place on bypassed urban land, it will take place elsewhere, further hampering the ability of the region to maintain the oxidant standard after 1987.

None needed.

We have no disagreement that decisions on use of bypassed urban lands should be made after considering other public goals such as park and community facilities. But that is precisely the point. If development can be accommodated on bypassed urban land as opposed to land elsewhere, there is no compelling reason it should not be done. If, however, alternative uses such as for parks or community facilities are projected, then the decision about housing versus parks can be made. This policy does not say that only housing can be built on bypassed land.

Disagree. Not directly linked to actions under Policy D.

We agree.

POLICY G - ENCOURAGE INFILL DEVELOPMENT and ACTIONS 23-25 (continued)

INDIVIDUAL/COMMENT:

City of Santa Clara:Support.

League of Women Voters of the Bay Area: Support.:

Supervisor Arnold Baptiste: Add "in accordance
with local general plans" to actions 24-25.

STAFF RESPONSE:

None needed.

None needed.

No objection.

POLICY H - DEVELOP AT HIGHER DENSITIES WHERE URBAN SERVICES CAN SUPPORT THEM AND ACTIONS 26-27

INDIVIDUAL/COMMENT:

City of Hayward: Recommends deletion; it is impossible to know if the average acres/unit proposed for each local jurisdiction can be accepted by that local government.

Councilman Fred Maggiora/Oakland City Staff: Action 26 is vague. As long as it is individual cities that determine which locations are appropriate, this action would have no adverse effect.

Contra Costa County Board of Supervisors: Recommend deletion of policy and actions. Wrongly directed toward zoning and development regulations rather than the general plan.

City of Milpitas: We would oppose effectuation of this policy, which suggests higher local residential density decisions be shared with ABAG.

Town of Los Gatos: Implementation of this policy is not necessarily inconsistent with town policy. Local option should be recognized in this matter so special problems such as traffic can be evaluated in determining acceptable densities.

City of Santa Clara: Support, but need to maintain local option of densities.

City of Morgan Hill: Council feels there is a uniqueness to the south county area that should be preserved. Clarify what is meant by higher densities.

STAFF RESPONSE:

The plan does not propose an average density for any local government. The analysis was based on example density changes. We agree with the City's recommended text change in chapter II of the plan; further study of the policy is proposed in the continuing planning process.

Individual cities would continue to have the authority to determine densities.

We agree that general plans should be included in the actions. However, simply because they are not mentioned in the draft actions does not mean the actions should be deleted.

ABAG is not mentioned in the policy or its implementing actions. Sole responsibility for making these decisions would rest with cities and counties.

We agree.

Agree.

Up to each jurisdiction to define precisely.

POLICY H - DEVELOP AT HIGHER DENSITIES WHERE...AND ACTIONS 26-27 (continued)

INDIVIDUAL/COMMENT:

Supervisor Arnold Baptiste: Amend policy to read "Consider county and city general plan amendments and appropriate zoning actions which would permit development at higher densities within urban service areas where service capacity exists."

STAFF RESPONSE:

No objection.

POLICY I - LIMIT DEVELOPMENT WHERE CONDITIONS CAN SUPPORT ONLY LOW-DENSITY DEVELOPMENT AND ACTIONS 28-29

INDIVIDUAL/COMMENT:

City of Hayward: Cities and counties have tried to do this the last five years. New tools are needed but...is ordinarily beyond the fiscal capacity of local governments. Recommend for State funding.

Councilman Fred Maggiora/Oakland City Staff: Although there is no quarrel with the policy, the actions proposed are questionable for Oakland. Who determines what sites are appropriate. Funding for such acquisitions could be a serious problem.

Contra Costa County Board of Supervisors: As written these actions are confusing and could be contrary to the compact growth policy.

City of Milpitas: We find policy generally in conformance with general plan development policy, but we do allow minimal development in keeping with geologic safety in stable relatively flat areas of our nearby hills. With that understanding we can generally support this policy action.

East Bay Municipal Utility District: Delete Action 28. Control of development must be responsibility of land use planning agencies, not service agencies.

Town of Los Gatos: Policy states in effect that hillside areas should not be allowed to develop even with low density. Under one implementing action, it is stated that land be purchased to prevent development. This is not economically feasible. Low density development is the only reasonable alternative.

STAFF RESPONSE:

Only Action 29 is dependent on local fiscal capacity. State funding would obviously help, and would be appropriate.

This policy probably would not apply to most of Oakland, although that would have to be determined individually by the city as part of the plan's continuing planning process. The city would have to determine appropriate sites. We agree that funding could be a problem; this is advocated by Policy O.

We agree.

None needed.

We agree. Language should be modified to ensure that service agencies construct facilities when necessary to to service development planned for and permitted by local cities and counties.

No requirement is imposed. Policy indicates that limitations be considered. Development is not necessarily precluded.

POLICY I - LIMIT DEVELOPMENT WHERE CONDITIONS CAN PERMIT ONLY LOW-DENSITY AND ACTIONS 28-29 (continued)

INDIVIDUAL/COMMENT:

City of Santa Clara: Support.

League of Women Voters of the Bay Area: Support.:

Margaret Zegart, Tamalpais Planning Area:
Add "subsidence" to policy.

Supervisor Arnold Baptiste: Policy I and Action 28
are inconsistent with Policy H and Action 27.

STAFF RESPONSE:

None needed.

None needed.

This can be considered.

We agree. Need to add "and where policy H cannot be applied."

POLICY J - IMPROVE HOUSING JOB BALANCE AND Actions 30-33

INDIVIDUAL/COMMENT:

San Francisco Tomorrow: Consideration should be given to the social and economic impact that will occur in impacted areas, and in specific the work forces available in a particular area.

City of Hayward: Very few cities limit commercial development or industry...People are willing to travel great distances to obtain the kind of housing in the kind of environment they want and can afford...as more families become two-wage earner families shortening the distance from home to work will be difficult.

Councilman Fred Maggiora/Oakland City Staff: Policy is commendable, actions are too vague. City has been working on this problem for many years without major success.

Contra Costa County Board of Supervisors: Dispersal of jobs throughout the region may be a hinderance to improved transit since people are most likely to use transit to go to work rather than for other purposes...These actions needed greater clarification before they can be accepted as benefitting air quality.

City of Milpitas: NO serious objection to this.

Town of Los Gatos: Not inconsistent with town policies, but it is impractical to apply this policy to substantially developed areas. Should be applied to new developments.

STAFF RESPONSE:

We agree.

Some cities, however, limit housing growth while continuing to attract industry. The point of this policy is to improve the balance of jobs and housing. We agree that as two-wage-earner families increase it will be more difficult to shorten commute trips. But transit improvements made more feasible by compact development should improve the opportunity for one of the wage earners, if not both, to use public transit if they choose to do so.

We recognize the difficulty of this problem. Improving jobs-housing balance is major regional issue that will not be solved easily. But it is something that all cities and counties have an interest in seeing the region make some progress toward solving.

Bringing jobs and housing closer together in the region will be more conducive to transit but it can also reduce the length of auto commute trips. Both are important in achieving air quality. Again, this policy and actions are part of a package of actions to maintain the oxidant standard after 1987.

None needed.

It is intended to be applied where possible, even in existing communities if local agencies can take actions to improve jobs-housing balance.

POLICY J - IMPROVE JOBS-HOUSING BALANCE AND ACTIONS 30-33 (continued)

INDIVIDUAL/COMMENT:

City of Santa Clara: Oppose, plan ignores arbitrary nation of political boundaries and the high volumes of cross-commuting.

League of Women Voters of the Bay Area: If distances between house and job are to be reduced, an employee must be able to find suitably priced housing within a short-distance of the job.

Supervisor Arnold Baptiste: Support.

STAFF RESPONSE:

Plan does not ignore volumes commuting. Attempt is made to reduce increases in commuting by automobile. Housing and jobs balance, within cities individually, or within sub-regions, can help achieve this.

Agree.

None needed.

POLICY K - MIX RESIDENTIAL, COMMERCIAL AND INDUSTRIAL DEVELOPMENT AND ACTIONS 34-35

INDIVIDUAL/COMMENT:

City of Hayward: Delete; this policy produces very little reduction in vehicle miles.

Councilman Fred Maggiora/Oakland City Staff:
No adverse effect on Oakland.

Contra Costa County Board of Supervisors:
Policy of mixing land use types can be acceptable if not taken to extremes. Supporting actions inappropriately address ordinances rather than general plans.

City of Milpitas: No serious objection to this.
Town of Los Gatos: Town ordinances already provide for this.

City of Santa Clara: Oppose, plan doesn't allow for community determination of its own character.

Supervisor Arnold Baptiste: "Encourage a mix of ...in Bay Area communities consistent with county and city general plans.

STAFF RESPONSE:

We agree that this policy alone will not produce major savings in vehicle miles traveled. The intent of the policies taken as a whole is to achieve compact development in the region, and thereby reduce automobile reliance. The individual savings in auto travel cannot be isolated for a single policy.

None needed.

No objection to including general plans in the actions. The major question is not whether the action fails to mention general plans, but whether the policy and actions can help achieve compact development. We believe the policy and actions, appropriately amended, are reasonable and help achieve compact development.
None needed.

None needed.

Communities would have to make the choices, not ABAG or other agencies.

No objection.

POLICY L - DISCOURAGE SINGLE-USE LARGE SCALE LAND DEVELOPMENT PROJECTS AND ACTIONS 36-37

INDIVIDUAL/COMMENT:

City of Hayward: Delete; little savings in vehicle miles traveled.

Councilman Fred Maggiora/Oakland City Staff:
No adverse effect on Oakland.

Contra Costa County Board of Supervisors:
Policy is substantially redundant with policies J and K. Recommend deletion because of lack of specific air quality benefits.

City of Milpitas: We oppose this until more definitive language is provided.

Town of Los Gatos: Policy is reasonable but cannot be applied to smaller substantially developed communities.

City of Santa Clara: Opppose, disregards the freedom of choice regarding housing and job location.

City of Morgan Hill: Oppose actions 36 and 37 until more definitive information is provided. What is meant by large-scale.

Supervisor Arnold Baptiste: Support. Clarify large scale. Delete action 37. Denial of access to a project which may be built in any event is inconsistent with air quality transportation goals.

STAFF RESPONSE:

We agree that this policy alone will not produce major savings in vehicle miles traveled. The intent of the policies taken as a whole is to achieve compact development in the region, and thereby reduce reliance on automobile travel. Savings from implementing a single policy cannot be isolated.

None needed.

Specific air quality benefits are prevention of inappropriate automobile-dependent developments unless they improve overall housing-jobs balance. Part of serious of actions to achieve compact growth in region; necessary for maintenance of oxidant standard after 1987.

None needed.

We agree.

Freedom of choice is very limited when cities indicate they will be primarily residential or primarily commercial or primarily industrial. Intent of policy is not to deny right to determine nature of community, but to make choices available to citizens.

We agree better language is needed.

We agree. clarification is necessary.

POLICY M - FUND NEW WASTEWATER AND TRANSPORTATION FACILITIES ONLY AFTER AREAS SERVICES HAVE TAKEN ACTIONS TO CARRY OUT THIS PLAN AND ACTIONS 38-39

INDIVIDUAL/COMMENT:

City of Hayward: Adopt this policy.

East Bay Dischargers Authority: These aspects of the plan are beneficial: development of an AQMP that evaluates alternative means of addressing region's air quality problems and "takes this burden off individual local projects." It also recognizes the relatively small role of wastewater facilities in constraining land use.

Councilman Fred Maggiora/Oakland City Staff: Even though Oakland might comply with the plan, funding could be blocked if other jurisdictions did not.

Contra Costa County Board of Supervisors: It is doubtful that this is what Congress intended when it enacted the Water Pollution Control Act of 1972 or the Clean Air Act. Recommend deletion.

City of Milpitas: Oppose unless plan is modified per suggestions on other policies, then no objection to reviews for compliance.

East Bay Municipal Utility District: Delete. Policy and action would compel compliance with EMP.

STAFF RESPONSE:

None needed.

None needed, although this issue needs further examination if land use measures are removed from the AQMP.

We agree that that would be the effect. See response to East Bay Discharger Authority above.

Clean Air Act requires transportation improvement actions be consistent with air quality plan; also permits Administrator of EPA to withhold or otherwise condition 201 project grants if region is not making further reasonable progress toward attaining oxidant standard. This policy explicitly recognizes the enforcement authority of Federal law. Whether this policy is accepted or not, Federal law requires EPA and DOT grant programs carry it out.

None needed.

Disagree. See response to Contra Costa County Board of Supervisors. If these measures are not included, the State Water Resources Control Board is not likely to change its regulations on capacity restrictions, etc. without an acceptable AQMP. Position in EMP is that growth should be accommodated; individual dischargers like EBMUD should not have to bear burden of air quality mitigation measures, as indicated by EBDA above.

POLICY M - FUND WASTEWATER AND TRANSPORTATION PROJECTS...AND ACTIONS 38-39 (continued)

INDIVIDUAL/COMMENT:

STAFF RESPONSE:

Town of Los Gatos: Application of this policy must allow for consideration of an individual organization or agencies ability to comply with various policies and also allow for adequate local option within general policies.

Generally agree.

City of Santa Clara: Oppose, might prevent a potentially beneficial action due to an unrelated failure of a jurisdiction to perform properly.

See response to Contra Costa County Board of Supervisors and EBMUD above.

League of Women Voters of the Bay Area: Will there be any follow-up after initial approval to see that affected jurisdictions are continuing to comply?

This would have to be examined in the continuing planning process.

Supervisor Arnold Baptiste: State policy positively: "New wastewater and transportation facilities should be constructed in a manner consistent with the objectives of the EMP." Revise actions 38 and 39 as follows: "New wastewater and transportation facilities should continue to be funded as local jurisdictions demonstrate reasonable progress toward implementing the actions of this plan."

Could be considered as alternative wording. Measurement of reasonable progress would be on the plan as a whole.

POLICY N - REVIEW DEVELOPMENT PROPOSALS FOR AIR QUALITY EFFECTS (INDIRECT SOURCE REVIEW) AND ACTIONS 40-43

INDIVIDUAL/COMMENT:

City of Hayward: Recommend deletion; it is too late for this to do any good. People and their cars are already in the locations and creating air pollution before major shopping centers go in.

Councilman Fred Maggiora/Oakland City Staff: Great potential for impact on Oakland. With the exception of single-family units all other sources would be reviewed. This is a complex regulation that can stifle development....

Contra Costa County Board of Supervisors: Delete; considerable grant of authority that could not bring about major improvements in air quality according to the EMP program's own figures.

City of Milpitas: We continue to recommend that some modification of economic tradeoffs and tax revenue sharing be considered before we would support action 40 or 41. We support actions 42 and 43.

League of Women Voters of the Bay Area: Spell out the criteria by which proposals would be judged.

STAFF RESPONSE:

The location of major indirect sources can be examined to minimize auto travel, however. The intent is not to deny such a source, but to locate it in such a way as most efficient from an air quality viewpoint, while considering transportation access and economic viability. Further study of this is recommended in the continuing planning process.

We disagree. See response above. Also note that only major facilities would be reviewed, not everything larger than a single-family home.

Indirect source review, together with NSR is included in the AQMP to provide the region with flexibility in attaining and maintaining the standard. ISR emission reductions are not included in the 24 tons/day. No emission reduction can be estimated for this because it is a review function with effectiveness dependent on progress of other programs and applications. It is a very important program, and potentially more important in dealing with CO requirements, which must be included in updated AQMP.

None needed.

Procedures and criteria would have to be developed as first order of business after General Assembly adopts action.

POLICY N - REVIEW DEVELOPMENT PROPOSALS FOR AIR QUALITY EFFECTS...AND ACTIONS 40-43 (continued)

INDIVIDUAL/COMMENT:

Town of Los Gatos: Generally acceptable, but it would be inappropriate for each local agency to attempt to develop the expertise necessary to conduct these reviews.

City of Santa Clara: Oppose, keep decisions at local level, on action 41. Support other actions, with report in Action 40 coming to city to aid in local decision.

City of Morgan Hill: The council feels there should be some statement of economic tradeoff if cities such as ourselves might be precluded from developing commercial/industrial projects based on an air pollution problem that is largely created in the north county area.

Supervisor Arnold Baptiste: Amend policy to read "Development proposals should be reviewed for air quality effects and consistency with urban service areas and local general plans. Guidelines for local review of these projects should be prepared by local and regional agencies."

Revised Action 40 : "Regional agencies such as the BAAPCD and MTC should assist local cities and counties in preparing air quality review guidelines. Regional review of projects should only be for very large scale projects where it can be demonstrated that the project has a regional impact on air quality."

STAFF RESPONSE:

We agree. ABAG, MTC and BAAPCD should assist local agencies to the maximum feasible extent.

None needed.

Not exactly sure what the city means by economic tradeoff. If tax-sharing is meant, this would have to be defined. See response to City of Hayward comment above.

Generally no objection. May be a little broader than necessary for indirect source review.

This language is confusing. Regional review would be for projects demonstrated to have a regional impact. Without a review, no demonstration of regional impact could be made. See proposed modification recommending further analysis of all land use measures.

POLICY N - INDIRECT SOURCE REVIEW AND ACTIONS 40-43 (continued)

INDIVIDUAL/COMMENT:

Natural Resources Defense Council:

Move indirect source review to transportation controls. Specific language is provided staff.

STAFF RESPONSE:

Staff proposes deferring adoption of land use measures including indirect source review to the continuing planning process.

POLICY O - ADOPT FINANCIAL PROGRAMS TO SUPPORT LOCAL AND REGIONAL AGENCY ACTIONS AND ACTIONS 44-46

INDIVIDUAL/COMMENT:

City of Hayward: Unlike the 1950s and 1960s, major investors follow rather than lead population shifts. It is too late for this policy to do any good.

Councilman Fred Maggiora/Oakland City Staff:
No adverse effect on Oakland.

Contra Costa County Board of Supervisors:
These must be included since local government is limited by SB 90 from levying taxes for new programs. Main issue is whether the marginal air quality benefits of the land use controls are worth the public and private costs. Recommend deletion.

City of Milpitas: Support.

Town of Los Gatos: Should not depend on the property tax.

City of Santa Clara: Support.

Supervisor Arnold Baptiste: "Adopt National and State...~~home-to-work-distance-and~~ auto dependency.

STAFF RESPONSE:

This policy is not just for private sector actions, though that is certainly included. It would also support cities' and counties' efforts to carry out development actions. The recommended deletion would be exactly contrary to the recommendation for fiscal assistance to cities and counties advocated by Hayward's recommendation on Policy I. To suggest that it is too late for this policy and its actions to do any good is, in effect, to say that it is too late to do anything about development of the region in the future. We believe cities and counties can determine how development of the region will take place.

None needed.

Disagree. Land use measures, however marginal they appear to be, are necessary for numerical demonstration that this region can maintain the oxidant standard after 1987. Obviously if local governments are to implement these measures, financial support from State and Federal sources will be necessary.

None needed.

We agree.

None needed.

Local governments can't adopt National and State programs.

POLICY P --ADOPT COORDINATED REGIONWIDE PROGRAM AND ACTIONS 47-49

INDIVIDUAL/COMMENT:

City of Hayward: Delete; this would change existing governmental authority in a major way with little evidence that this kind of review would contribute to improved air quality.

Councilman Fred Maggiora/Oakland City Staff:
No adverse impact on city if reservations with respect to policies M and N can be resolved.

Contra Costa County Board of Supervisors:
If the land use controls are deleted from the plan these actions are not needed.

City of Milpitas: If modified as per suggestions on other policies, we can support policy and actions.

East Bay Municipal Utility District: Delete special districts from policy statement. Control of development must be responsibility of those agencies with land use planning authority, which does not include special districts.

Town of Los Gatos: Recommend a special more accountable board be instituted to oversee implementation of this and similar plans.

STAFF RESPONSE:

We disagree. No authority is changed. Achieving compact development in the region--thereby reducing auto dependency--is based on current information necessary to maintain the oxidant standard after 1987. Further analysis of the implementation of these measures by cities and counties is recommended in the continuing planning process.

See responses to policies M and N. Further analysis of land use measures is proposed for continuing planning process.

Agree. If the land use measures are deleted from the plan, and not replaced by equivalent in hydrocarbon reductions, region cannot demonstrate numerical attainment of the standard by 1987 and maintenance thereafter. Additional controls on stationary, mobile sources, and very costly transportation improvements would be required. Doubtful region could sustain further growth in population, jobs or housing under those conditions.

None needed.

Disagree. In the absence of an explicit State law requiring special districts to comply precisely with development policies of cities and counties as expressed in local general plans and other programs, special districts do--despite the expression from EBMUD--affect land use and development in certain places in the region.

Intent of EMP has been to use existing agencies and not set up new ones.

POLICY P - COORDINATED PROGRAM AND ACTIONS 47-49 (continued)

INDIVIDUAL/COMMENT:

City of Santa Clara: Relates to ABAG's role as it relates to city, county and other regional agencies. Specific implementation measures should be again referred to local agencies and jurisdictions.

League of Women Voters of the Bay Area: "We though P is what the EMP is all about. ABAG may continue to plan and even monitor, but no provision is made for carrying out these actions....The League believes that the Actions 47, 48 and 49 will not accomplish Policy P."

Town of Woodside: Support San Mateo City Managers' Association's recommended change that local agencies develop a work program by June 1979 to carry out AQMP policies, but add the the work program would be forwarded to ABAG for review and comment.

Supervisor Arnold Baptiste: "Adopt Develop a coordinated regionwide program...and development strategies. This implementation program should be prepared by local agencies in coordination with ABAG. Modify Action 47 to read "report to General Assembly within one year on the preparation of the implementation progress and steps taken to implement AQMP land development proposals."

STAFF RESPONSE:

We agree. That is the intent.

We disagree. Anything further than these actions would violate the spirit of two-year principle adopted for the remainder of the EMP: use existing agencies with current authorities."

None needed. See modifications to land use policies.

See change suggested to accommodate most comments on General Policy IV.

AIR QUALITY COMMENTS

March 8, 1978 to
March 31, 1978

AIR QUALITY MAINTENANCE PLAN GENERAL COMMENTS

Individual/Comment:

Joseph L. Beeson, San Jose:

Concerned about implementation of the air quality plan. How can we get across to people the need for less driving... It is a known scientific fact that 4,000 people dropped dead in London, England because of air pollution in one unit of time more than would have died otherwise, and also in Los Angeles. Do we want these people on our conscience?

There is a real need for public education in environmental problems.

Contra Costa County Board of Supervisors:

Alternative measures to substitute for the land use controls should be developed. A review should be made of the technical assumptions that went into the plan and estimates made of the air quality benefits that would result if the technological assumptions, especially on automobiles, were adjusted.

State Solid Waste Management Board:

Important option of energy recovery from solid waste and co-disposal of waste and sludge is virtually ignored.

Response:

Public education has been, and would continue to be, a major portion of the environmental management planning process.

Assessment of these measures has been prepared for Executive Board consideration. The draft plan describes the assumptions in great detail. So do numerous technical memoranda. The basic assumption in the baseline forecasts is that automobiles would be controlled by the new Clean Air Act Amendments; and the plan then called for a 50% cleaner car beyond that. The ARB has questioned whether such an action is feasible, but grants that it may be and is willing to study that further.

RPC added an action to address this problem.

AIR QUALITY MAINTENANCE PLAN GENERAL COMMENTS

Individual/Comment:

Santa Clara County Medical Society
Environmental Health Committee:

Plan only covers oxidant; needs to cover sulfur dioxide and to control sulfates and particulates in the air. Carbon monoxide will be a local problem and will require local solutions.

San Leandro Manufacturers' Association:

California air standards should be brought into line with Federal standards.

Air Conservation Council of Northern California:

Plan needs to cover CO and particulates, as well as SO₂.

Provide additional transit service to offset regressive economic or social impact associated with disincentives to auto use. Provide rail transit with support equal to that of other transport modes.

Should adopt a policy recommendation that the State Legislature should require development of air quality elements in local general plans.

Ora Loma Sanitary District:

Development of an AQMP that locates and quantifies air quality problems and evaluates alternatives, thereby removing the burden from individual local projects, is beneficial to wastewater management.

Response:

These measures would be addressed during the continuing planning process.

California's standard is less stringent than the Federal standard for oxidant, not the other way around.

Would be done in continuing planning process.

Transit service improvements were called for by EMTF.

This might be worth considering in the continuing planning process.

None needed.

AIR QUALITY MAINTENANCE PLAN GENERAL COMMENTS

Individual/Comment:

California Department of Transportation
Office of State Planning:

Narrative should describe numerous Caltrans projects which are included in MTC's TIP and TSME. Many of these proposed projects are recommended in the AQMP. Also there are many proposed projects in the TIP and TSME that are not recommended in the AQMP. It should be made clear that these projects are being implemented for reasons other than air quality and are not necessarily inconsistent with air quality.... This matter needs careful attention by MTC and ABAG during the preparation of the AQMP.

Air Resources Board:

Plan should be revised to reflect the following ARB concerns:

1. Significant addition is needed to cover CO and particulate matter.
2. Page 5 of the AQMP states that achieving and maintaining California air quality standards is adopted CARB policy. It needs to be pointed out that the Legislature has empowered ARB to adopt air quality standards and require attainment and maintenance within a reasonable time. It is therefore our interpretation that attainment of the State standard is a requirement of law, not discretionary ARB policy...Plan should also show a specific schedule for preparation of SO₂ and NO₂ plans.

Response:

Text will be revised as necessary.

We agree; this would be done during the first few months of the continuing planning process.

Appropriate revisions in the text will be made.

AIR QUALITY MAINTENANCE PLAN GENERAL COMMENTS

Individual/Comment:

Air Resources Board (cont.):

3. Documentation of the assumptions and emission reduction estimates for NSR needs to be included. Until such documentation is available, there appears to be insufficient information currently in the plan to clearly demonstrate achievement of the standard.

4. Proposed stationary source control measures require use of BACT on new and existing sources. Ultimate success of this ambitious undertaking hinges on the ability of the district to enforce the rules. We suggest AQMP also consider measures to strengthen the ability of the district to enforce these controls, such as a more comprehensive ambient air quality monitoring program, a continuous instack monitoring program, a stronger permit program, and a stronger enforcement program.

Elimination of measures limiting SO₂ and NO_x emissions from stationary sources in the Bay Area does not mean that the district or ARB will not continue to develop further controls for these pollutants.

5. Draft AQMP Action 5 recommends ARB adopt more stringent vehicle emission standard by 1990. The ARB has serious difficulty in accepting the premise that California vehicle emission standards alone could force the enormous capital investment that would be required by the automobile industry to produce such new engines. Over the next two years ARB

Response:

Uncertainties in the effectiveness of NSR are inherent in the nature of the control program. Therefore monitoring of the progress of NSR is recommended to determine if reasonable further progress is being achieved. If it is not, additional control measures or more stringent control programs will be proposed in the future.

These are not necessary elements on an AQMP. ARB has the authority to require such programs of the BAAPCD.

No response needed.

No response needed.

AIR QUALITY MAINTENANCE PLAN GENERAL COMMENTS

Individual/Comment:

Response:

Air Resources Board (cont.):

will investigate the feasibility of further tightening the emission standards on conventional engines. Our initial analysis leads us to conclude that a 50% reduction may be feasible after 1987 and thus, we are willing to accept its inclusion in the analysis of the AQMP's adequacy to maintain standards in the long run.

6. Vehicle inspection/maintenance will require legislation; chances for such legislation will be greatly enhanced if strong local political support is provided by Bay Area legislators.
7. Heavy duty retrofit also requires legislation. Present information suggests that such a retrofit program may be infeasible. We recommend that measure be removed from the plan and placed in the category of strategies for future study.
8. Transportation controls appear to be minimal both in stringency and effectiveness....At a minimum the final AQMP needs to consider fully the effectiveness of the specific transportation control measures outlined in section 108 of the 1977 Clean Air Act Amendments.
9. Compact development measures seem to be reasonable and effective in controlling urban sprawl...If the land use measures fail to survive the adoption process, additional controls will need to be provided in the transportation and stationary source sectors to assure maintenance of the air quality standards once attained.

ABAG will actively support this legislation.

ARB has not presented any technical evidence to show that such a program is infeasible. This control measure was based on the results of studies done in New York that indicated the costs and effectiveness which were assumed in the AQMP. 5

This is an AQMP, not a non-attainment plan. Specific controls mentioned in Section 108 will be examined by MTC in the continuing planning process.

EMTF has removed land use controls from the initial plan; assessment of alternative measures for maintenance has been provided to ABAG Executive Board.

AIR QUALITY MAINTENANCE PLAN GENERAL COMMENTS

Individual/Comment:

Air Resources Board (cont.):

10. It is not clear that Bay Area measures to control hydrocarbon emissions will prevent air quality adverse impacts in Central Valley; it appears additional controls on hydrocarbons and NOx controls will be needed. ARB will work with ABAG in the coming months to develop such measures.
11. Institutional arrangements section in the text needs to reflect recently developed agreements among ABAG, MTC and BAAPCD. Also needs to recognize role of ARB in developing model rules and identification of BACT for various source control categories.

Also submitted detailed comments on specific portions of the text.

Mrs. Alvin Peterson, Walnut Creek:

I see where you are planning to ban the use of lawn mowers, chain saws etc...The land of the free is becoming a bureaucratic government. Good Lord--we can't even mow our lawns.

John Holtclaw:

Recommend reconsideration of measures in Tables 11-13 for their cumulative effect and for their non-organic emissions benefit and included in the plan.

Response:

ABAG will work with ARB in the coming months to develop such measures.

Text will be revised as appropriate.

Text will be revised as appropriate.

Proposed option is for control of emissions from small gasoline engines, not a ban on their use, despite press reports to the contrary.

Measures not recommended in the plan would be considered in the continuing planning process, if no legal sanctions are applied to the region merely because such measures are identified for further analysis, according to the recommendation of EMTF.

AIR QUALITY MAINTENACE PLAN GENERAL COMMENTS

Individual/Comment:

Mrs. Irwin W. Black, Walnut Creek:

I have read that you are considering banning of power lawn mowers and chainsaws...Let's concentrate on the real pollution!

San Mateo County Medical Society:

As physicians, we are concerned that the EMP that is finally adopted bring the Bay Area into conformance with federal standards....Major changes that need to be made are controlling smaller plans and controlling transportation by better land use planning....In automobile congested areas, probably the most important single thing that can be done at present to reduce the dangers of air pollution is to reduce vehicular traffic. Proper land use planning and control of urban sprawl is necessary if this is to be accomplished. So is proper use of mass transit and more efficient use of the automobile. We hope that the EMP which is designed to achieve this purpose is approved by ABAG.

Bay Area Council:

Suggest adding on Page VI-161 of the EMP the following text: "Three other areas deserve more detailed analysis in the continuing planning process. Specific cost and benefit data must be developed. Secondly, the advisability of 'banking' emissions as part of NSR needs to be examined. And lastly, the use of intermittent or episodic controls to supplement continuous stationary source controls should be explored."

Response:

See response to Mrs. Alvin Peterson; small gasoline engines are a significant source of emissions.

Draft plan was intended to do this.

These suggestions could be examined during the continuing planning process, if local governments acting through ABAG are designated to prepare future air quality plans.

AIR QUALITY MAINTENANCE PLAN GENERAL COMMENTS

Individual/Comment:

San Mateo County City Managers' Association
via R.D. Martin, Councilman, Burlingame:

EMTF's new action 13 should provide that the ranking of additional control measures should be completed by the June 1978 General Assembly and presented as an information item. Action should be deferred to a special October meeting.

Also recommend new action: "Complete construction of certain portions of the State Freeway system in which there are now pollution-causing gaps."

Governor's Office of Planning and Research:

Special attention should be drawn to the plan's land use management/development controls. These proposed strategies provide innovative but practical solutions to the long term air quality problem. If land use and development patterns are guided toward a more compact form of development, decreasing the amount of pollution generated by automobile trips, air quality will be relatively improved, allowing for more industrial development and a decrease in the costs of achieving air quality in the future.

Plan should also develop recommendations for CO and particulates.

Plan is based on ABAG's Series 3 projections; to date such projections have not been approved by Executive Board; the population projections on which the final EMP is based must be the set approved by the Executive Board.

Response:

This would be possible; staff has recommended that one or more of the control measures be included in the plan, with the provisos that no measure be adopted by an implementing agency prior to 1990 and that implementation would take place to achieve 24 tons/day in the year 2000.

Staff agrees; EMTF has recommended further study of these measures if no sanctions can be applied merely because further study is recommended. While OPR doesn't indicate it, the land use measures in the plan are consistent with the Governor's recently announced Urban Strategy; we find it curious that OPR would not mention this.

This would be done in the first few months of the continuing planning process.

Population projections at ABAG are the responsibility of the Regional Planning Committee; we will bring OPR's comment to the attention of the Executive Board to determine if the board wishes to formally approve the projections.

AIR QUALITY MAINTENANCE PLAN GENERAL COMMENTS

Individual/Comment:

Stationary source controls do not adequately consider the region's social or economic goals. Control measures appear to place a very heavy regulatory burden on large industries that may wish to locate in the Bay Area. The plan should go further to provide adequate guidance as to what industry will be allowed to locate in the Bay Area and under what conditions. Use of BACT could result in significant slowing of the Bay Area economy. A clearer definition of BACT and guidelines for its application over time should be included in the plan.

Stringent application of NSR would effectively preclude the growth and modernization of basic industrial sectors....An active offset program needs to be developed in the plan. Such a program should include point source, non-point source, mobile source, transportation and land use measures as opportunities for tradeoffs....If the opportunities for offset are more limited than the demand, the plan should establish regional priorities for allowing them....ABAG's proposed industrial siting program potentially provides the guidance of this sort....

Response:

It was the EMTF's decision to place stringent requirements on industry. The draft plan was designed so that industry would not bear the sole burden of air pollution control. Definition of available control technology was included by EMTF in its recommended plan.

An active offset program is in the plan recommended by EMTF; it should be noted, however, that such an offset program will also have social and economic effects, which OPR doesn't mention here. Current EPA and ARB policy on offset does not appear to allow the kinds of tradeoffs mentioned here; it also appears no permit for a new industry could be granted if opportunity for an offset is not available, regardless of regional policy, unless OPR is proposing that Federal and/or State standards for air pollution be weakened.

AIR QUALITY MAINTENANCE PLAN GENERAL COMMENTS

Individual/Comment:

State Solid Waste Management Board:

The difference between the State and Federal oxidant standard is over-emphasized. The difference in methods of measurement makes them essentially equivalent and the federal standard is presently being reviewed for possible relaxation. The CO standards are also addressed out of context in that violations will always be very local.

By addressing only HC, ignoring NO_x, plan fails to recognize that NO_x per mile from an empty bus is 34 times that of a controlled automobile.

Other text comments.

Response:

ARB disagrees; they are requiring that the AQMP include CO controls; these will be addressed in the continuing planning process.

Plan does not recommend controls for NO_x because our analysis indicates that reductions in NO_x will increase oxidant levels.

Text will be revised as necessary.

AIR QUALITY GENERAL POLICY I (Stationary Source Controls) - COMMENTS NOT SPECIFIC TO ACTIONS

Individual/Comment:

Response:

Richard A. Spellman, Councilman, El Cerrito:

Actions in this area should be carefully staged over many years.

Agree. This is intended.

Air Conservation Council of Northern California:

Strongly support BACT on all existing and new sources; new source review should include net reduction in emissions.

EMTF has adopted these measures.

Alameda County Environmental Management
Citizens Advisory Committee:

Amend to provide that the region should continue new source review in accordance with uniform standards to be applied to all similar air quality basins throughout the nation.

This is the intent of the EMP. It should be noted, however, that the standard is numerically determined, and metropolitan regions differ in severity of the oxidant problem. Therefore a control measure may have to be applied more stringently in one region than in another depending on the success of other control measures. The question is whether there is uniform enforcement of the requirements of the CAAA. An action was added by the RPC to the continuing planning process so that progress in other areas of the country would be reported during the Bay Area's continuing air quality planning process.

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AIR QUALITY GENERAL POLICY I (Stationary Source Controls) - Action 1

Individual/Comment:

City of San Jose: Support; perhaps it would be better to deal with this under BACT action 3.

Response:

EMTF deleted Action 1 and handled under Action 3.

Department of the Air Force, Western Region:

Amend action 1 to read the same as the ARB's proposed model rule for architectural coatings. The definitions in this rule exclude aircraft. We would like to point out that the purpose of the coating is for protection, not cosmetic.

See response to City of San Jose.

AIR QUALITY GENERAL POLICY I (Stationary Source Controls) - Action 2

Individual/Comment:

City of San Jose: Support.

Response:

None needed.

AIR QUALITY GENERAL POLICY I (Stationary Sources) - Action 3

Individual/Comment:

City of San Jose: Support with modification to reasonably available control technology.

Alameda County Environmental Management
Citizens Advisory Committee:

Funding for industry to assist in BACT should be actively sought. During the coming year, a technical committee of BAAPCD, ABAG and affected industry should work together to more clearly define what is meant by BACT and RACT.

Response:

EMTF dropped reference to "best" for this action. As originally presented, "best" was defined as available technology proven in use not necessarily in Bay Area. As defined by some, the Bay Area already has "reasonably available control technology." Also, new sources were covered by EMTF under Action on new source review.

Industry is assisted through California Pollution Control Financing Authority. See response to City of San Jose. EMTF modified action to define "available control technology." Definition was drawn from the Clean Air Act Amendments of 1977.

AIR QUALITY GENERAL POLICY I (stationary sources) - Action 4

Individual/Comment:

Response:

State Solid Waste Management Board:

Flexibility afforded by the plan for NSR is really uncertainty; different industries might face different standards as a function of time, data availability and interpretation thereof. ...It is doubtful that a subsequent relaxation of these type rules would be consistent with obtaining the best "reasonably" attainable air quality.

Rules and regulations would not be changed that often, although they probably would change.

AIR QUALITY GENERAL POLICY I (Stationary Source Controls) - Action 4

Individual/Comment:

Response:

City of San Jose: Support.

None needed.

Santa Clara County Medical Society Environmental Health Committee:

Committee recommends a net reduction in emissions should be the criterion for acceptance of a new stationary source.

This is what is included in the action.

San Leandro Manufacturers' Association:

Action should be modified to allow sufficient growth to accommodate the projected population increase and to provide the tax base from which other parts of the EMP can be funded.

Baseline does take into account accommodating expected population increases.

Richard A. Spellman, Councilman, El Cerrito:

Action 4 introduces the concept of emission offsets, but does not go far enough. Polluters should be encouraged to reduce emissions to the bare minimum. To do this the BAAPCD should buy offsets from anyone who will clean up beyond the letter of the law. Later on BAAPCD could sell offsets to industries having problems meeting illegal limits.

Offsets as included in the plan will be stringent. Plan does not now provide that the district would buy offsets; industries wishing to locate in the region would purchase offsets so as to achieve a net reduction in emissions.

Dale Marr, Business Manager, Operating Engineers Local Union No. 3, San Francisco:

Provide a detailed assessment of the claim that the new source rules assumed in the plan under current Federal air quality standards really mean no industrial growth in the Bay Area.

Draft plan assumed the current new source review rule; to suggest that that rule has prevented industrial growth totally in the region is to ignore substantial growth in the region since 1975; plan places stringent requirements on new hydrocarbon emitting industries; it requires use of available control technology on existing industries; it does not mean no industrial growth in the Bay Area; if it did, population could not possible reach 6.1 million people in the year 2000, which is what plan assumes.

AIR QUALITY GENERAL POLICY II (Mobile Source Controls) - COMMENTS NOT SPECIFIC TO ACTIONS

Individual/Comment:

Response:

Amy Pinkerton and Harvey Rose, Stanford:

We commend the plan for enforcing strict auto emission regulations.

None needed.

City of San Jose:

Support all actions under policy.

None needed.

Air Conservation Council of Northern California:

Strongly support more stringent exhaust controls, and inspection/maintenance for all in use vehicles.

EMTF has adopted these measures.

Alameda County Environmental Management Citizens Advisory Committee:

Endorses actions. Strongly recommends that Congress be requested to direct EPA to require auto manufacturers to meet the most stringent Federal requirements for control of auto emissions with no further postponements.

EMTF has added an action. It should be noted, however, that California's standards are already higher than Federal standards, and that the plan proposes an additional 50% cleanup.

John Holtzclaw:

Add footnote to each emission reduction value that the reductions are in addition to those resulting from enforcement of present Federal and California exhaust emission limits.

It is not necessary to do this. The present programs and their effectiveness is assumed in the baseline; all measures in the plan are in addition to the effectiveness of current programs, with the exception of new source review.

AIR QUALITY GENERAL POLICY II (Mobile Source Controls) - Action 6

Individual/Comment:

Response:

Richard A. Spellman, Councilman, El Cerrito:

Action 6 is too restrictive on older vehicles. Concept of those who pollute shall pay would be less burdensome. In other words, keep the inspection but remove the mandatory maintenance, simply add a pollution fee for major contaminants.

This concept would tend to provide an incentive for maintenance. However, the goal of the AQMP is to show actual hydrocarbon reductions sufficient to meet the standard. While a 'polluter pays' concept would raise funds that could, for example, be used to support transit service improvements, it would not in and of itself reduce hydrocarbon emissions sufficient that the oxidant standard could be met.

State Office of Economic Opportunity:

We recommend that that idea that no vehicle owner would be required to spend more than a given amount, with the amount made progressive from no charge for the poor to a full charge for the wealthy on a graduated basis.

The Legislature should consider this idea in developing the legislation required to implement the I/M program.

AIR QUALITY POLICY III (TRANSPORTATION CONTROLS) - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

Individual/Comment:

Response:

Amy Pinkerton and Harvey Rose, Stanford:

The tax on cars entering and using cities may cause some hardship for those who can't afford it, but it will encourage carpooling, which will lower the financial impact. It would be better, though, if this tax were scaled according to the car's gas mileage.

This is a form of user charge that could be considered during the continuing planning process.

City of San Jose; Modify description of Actions 9 & 10 to remove reference to "discourage private auto use."

EMTF has dropped action 9; general action will be wording of Action 10.

City of San Mateo:

Add an action to provide: "Complete construction of urban portions of the State Freeway system in which there are now pollution-causing gaps."

This specific issue is best handled by the requirement that MTC and Caltrans plans and projects be consistent with the State Implementation Plan.

San Leandro Manufacturers' Association: Transportation controls are allocated 32% of all AQMP costs, yet they account for 1.2% of emission reduction. This cost benefit relationship mandates its removal from the plan.

Certain transportation measures are defined by Federal law to be reasonably available, and must be implemented to avoid Federal sanctions. Removing transportation controls merely on the grounds of cost-effectiveness would place even more stringent controls on industry. Advantage of AQMP is that industry does not bear the cost of air pollution cleanup alone.

AIR QUALITY POLICY III (Transportation Controls) - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

Individual/Comment:

John B. Lambert, Modern Transit Society,
San Jose:

You should strongly support the goal of 30% of trips being by transit in 1990. A major portion of that transit should be electrified, if we are to prevent air pollution from increasing....Both buses and rail transit use much less fuel per passenger, than automobiles, although electrified rail causes much lower pollution than buses, and it has a diversified energy supply, not subject to the whims of any one source....

David Romain, Albany:

Add a new action as follows: "Improve traffic flow on city streets, particularly in residential areas, to significantly reduce the number of traffic jams and reduce the number of vehicular stops."

Response:

See EMTF recommended transportation actions. Other transportation improvements would be considered during the continuing planning process.

Not clear this would improve oxidant situation, since it would not affect number of miles traveled. Could be considered to minimize CO emissions during preparation of plan to meet CO standard.

AIR QUALITY GENERAL POLICY III (Transportation Controls) - Action 8

Individual/Comment:

City of San Jose: Support.

Richard A. Spellman, Councilman, El Cerrito:

This is a faint-hearted jab at commuters. It would penalize bridge users but not touch long distance travel to other towns. Of course, since the bridges already collect tolls, it is easy to propose simply increasing them. What is needed is to raise the tolls immediately, and stage gasoline tax increases. Taxing gasoline further will provide incentives for all drivers to examine alternatives. Revenues could be used to cut BART fares, or provide inexpensive jitney service in commercial/industrial areas if frequent bus service is not available.

Alameda County Environmental Management
Citizens Advisory Committee:

Oppose this measure.

San Francisco Chamber of Commerce:

Oppose this measure. Penalizes those for whom transit or pooling is not viable. Negative measure, especially bad for San Francisco.

California Department of Transportation:

This measure would cause an operations problem on the Bay Bridge. Suggests a \$1 across the board toll and eliminate the commute book discount.

Response:

None needed.

MTC has recommended dropping this action, giving rise to the suggestion that it is not easy to propose raising the tolls. Many believe a uniform gas tax uniformly levied would be a better measure for raising transit revenues than bridge tolls. Increased gasoline taxes is one option being considered for long-term maintenance of the oxidant standard.

EMTF has recommended retention of measure with addition of "if needed to support transit."

See response to Alameda County Environmental Management Citizens Advisory Committee.

MTC has recommended dropping the action. Suggestion could be further studied during the CPP.

AIR QUALITY GENERAL POLICY III (Transportation Controls) - Action 8

Individual/Comment:

Response:

City of Novato Planning Commission:

Recommend deletion of this action.

EMTF disagrees.

David Romain, Albany:

Delete action 8.

EMTF disagrees.

AIR QUALITY GENERAL POLICY III (Transportation Controls) - Action 9

Individual/Comment:

Response:

City of San Jose: Oppose action 9

EMTF has deleted action 9.

Alameda County Environmental Management
Citizens Advisory Committee:

Oppose this measure.

EMTF has deleted action 9.

San Francisco Chamber of Commerce:

Oppose this measure.

EMTF has deleted Action 9.

City of Novato:

Propose new Action 9: "Encourage free
parking in suburbs near transit."
Assessment of cost is needed.

Cost of an action "encouraging" something would
be minimal. Cost of the action provision of
such parking would need to be estimated.

David Romain, Albany:

Delete this action.

EMTF has deleted action 9.

AIR QUALITY GENERAL POLICY III (Transportation Controls) - Action 10

Individual/Comment:

Response:

City of San Jose: Support.

None needed.

Richard A. Spellman, Councilman, El Cerrito:

Recommend changing action from "require provision" to "encourage provision"; the action does not merit more than voluntary action. Twenty-two years in car pools makes me feel that the expressed benefits are pipe dreams. Flexible working hours may be the death of many car pools.

Although the text of the plan uses the word require, it is intended to be an expansion of existing programs, which can be effective in reducing single-occupancy vehicle use. Specific details of the "requirement" would have to be worked out in the continuing planning process; full implementation would take place over many years.

Alameda County Environmental Management
Citizens Advisory Committee:

Support.

None needed.

San Francisco Chamber of Commerce:

Support this positive concept.

None needed.

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AIR QUALITY GENERAL POLICY III (Transportation Controls) - Action 11

Individual/Comment:

Response:

Amy Pinkerton and Harvey Rose, Stanford:

We feel that more money in the plan should be spent for mass transit. This can lower energy use and pollution much more than the compact development scheme.

Additional transit improvements beyond those included in the EMP will not be possible without massive Federal and State financial assistance. In addition, mass transit service improvements will be extremely expensive in low density areas.

City of San Jose: Support.

None needed.

San Francisco Chamber of Commerce:

We support this positive proposal. Funding should come from new sources, possibly State, in addition to Federal funding. Consideration should be given to a quantum leap in transit service by the year 2000.

Additional transit service beyond that included in the final AQMP will be considered in the continuing planning process.

John Holtzclaw:

The 20% increase in transit service is a rather timid and miserly goal considering the vast need for improved transit...These transit improvements could be substantially financed by higher gas taxes, bridge tolls and monies from the Highway Trust Fund.

See response to San Francisco Chamber of Commerce.

AIR QUALITY GENERAL POLICY III (Transportation Controls) - Action 12

Individual/Comment:

Response:

City of San Jose: Support.

None needed.

Richard A. Spellman, Councilman, El Cerrito:

Ramp metering would inhibit use of freeways from closein cities. But by opening up the freeways it would encourage more long distance driving from beyond the metered area. Net result would be more car mileage on the freeways. No incentives for distant drivers to use BART or bus. The idea of ramp metering should be scrapped unless it can be reworked to inhibit commuters from towns 20 to 50 miles away.

Intent of ramp metering is to provide easy access for buses to freeways; not simply to open up the freeways.

Alameda County Environmental Management
Citizens Advisory Committee:

Oppose.

We disagree.

San Francisco Chamber of Commerce:

We support this measure with the understanding that it is contingent upon the construction of additional lanes for this purpose.

California Highway Patrol:

If adopted, this proposal will create an increased demand for services from the CHP. The CHP does not have sufficient personnel to assume additional enforcement responsibilities created by certain types of improvement projects.

If measure is included, ABAG, MTC and others could advocate additional state budget appropriations for the CHP.

AIR QUALITY GENERAL POLICY III (Transportation Controls) - Action 12

Individual/Comment:

California Department of Transportation
Office of State Planning:

The three suggested HOV lane projects are viable candidates for specific treatment; funds and implementation time are underestimated for routes 80, 101, 580. The 1985 implementation date is not realistic as a minimum of 10 years is normally required from project planning. Simultaneous development of these three routes would impose serious constraints upon district manpower. Other unprogrammed but more fundable HOV ramp metering or highway operation projects that may obtain equivalent emission reductions. Need language that provides for substitution of projects if they prove more feasible.

City of Mountain View:

Amend to read "Increase bus and carpool lanes where it does not reduce existing lane capacity. Increase ramp metering where it will not lead to substantial congestion on local streets and where approved by local jurisdictions."

City of Novato Planning Commission:

Recommend deletion of "ramp metering" action.

Response:

MTC has adopted an amendment that would "Support development of high-occupancy vehicle lanes when justified on an individual project basis."

See response to California Department of Transportation Office of State Planning.

EMTF disagrees.

AIR QUALITY GENERAL POLICY III (Transportation Controls) - Action 13

Individual/Comment:

City of San Jose: Support.

Richard A. Spellman, Councilman, El Cerrito:

Action is dumb. Why pick on San Francisco? Oakland, at times, has a far worse car problem. ...I would accept this action only if San Francisco should voluntarily adopt it.

Alameda County Environmental Management
Citizens Advisory Committee:

Support.

San Francisco Chamber of Commerce:

Oppose this measure. The proposal is far too vague. Emphasis should be given to additional close-in parking to reduce emissions from cars seeking a public parking place.

City of Novato:

Propose new action 13: "Encourage commercial jitney services in residential areas to service public transit terminals."

City of Novato Planning Commission:
Recommends retention of the action.

Response:

None needed.

Agree that other cities have similar traffic problems in their downtown areas. The transportation element of San Francisco's master plan calls for an auto control zone in the central business district. The measure is being carefully studied by the City. The EMTF has recommended that this measure not be adopted now, but be further examined in the continuing planning process; in addition, the EMTF recommended that an auto control zone be examined for other cities as well.

See response to Richard A. Spellman.

See response to Richard A. Spellman.

MTC would have to examine this measure in the continuing planning process.

EMTF disagrees.

AIR QUALITY GENERAL POLICY III (Transportation Controls) - Action 14

Individual/Comment:

Response:

City of San Jose: Support.

None needed.

Alameda County Environmental Management
Citizens Advisory Committee:

Support.

None needed.

San Francisco Chamber of Commerce: Support.

None needed.

AIR QUALITY GENERAL POLICY III (Transportation Controls) - Action 15

Individual/Comment:

City of San Jose: Support with modification to add "and safe" to recommended action.

Richard A. Spellman, Councilman, El Cerrito:
This action is ridiculous in much of the Bay Area. Even if there were no hills the idea will increase not decrease pollution. Bike paths on major streets leading toward major employment and commercial centers would upset the smooth flow of automobiles and cause accidents. Reduced car lanes mean more auto congestion.

Alameda County Environmental Management
Citizens Advisory Committee:

Support.

San Francisco Chamber of Commerce: Support.

Response:

Task force added "and safe" to action.

Specific attention to these points would be required in the design of bicycle paths on major streets and roads.

None needed.

None needed.

GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL POLICIES OR ACTIONS

Individual/Comment:

Response:

San Mateo County Central Labor
Council: _____

Strongly urge deletion of all land use measures in the Environmental Management Plan.

The EMTF has recommended land use measures be further studied in the continuing planning process but only if no sanctions are applied to the region merely because the measures are being studied further and no credit is taken for the measures.

Louisa M. Jaskulski, Co-chair, PACE:

Although none of the ideas posed by this policy are new, this is perhaps the first time that local governments have been asked to vote on such concepts in a manner which might bind their local jurisdictions. Because many of these suggestions are fairly broad reaching, it would seem logical to postpone final consideration of this section of the EMP pending more thorough presentation of data...Although it is quite likely that many of these suggestions may be eventually adopted, at present there exists a scare atmosphere which some parties have worked very hard at creating. This is not a balanced or fruitful atmosphere for rational discussion.

See response to San Mateo County Central Labor Council.

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Midpeninsula Regional Open Space District:

The Board of Directors supports the concepts set forth in the Draft EMP. Many of the proposals in the plan encourage an orderly planned approach to the problems associated with urban growth, and we believe this is consistent with philosophy of the District.

None needed.

GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL POLICIES AND ACTIONS (continued)

Individual/Comment:

City of San Jose: Delete entire section.

Marjorie Sutton, Chairperson, Sierra Club
Land Use Task Force, Northern California
Conservation Committee:

Many local governments have implemented the land use policies. A sharing of their experiences to date, facilitated by ABAG staff, will help promote understanding and commitment to the land use policies. This will certainly be a more effective way to encourage compliance that would possible court action to enforce state and federal laws designed to protect air and water resources. Obviously the carrot approach of tying Federal grants-in-aid to environmentally sound land use decisions is also valid and appropriate. ...We wholeheartedly support the land use management policies.

Coalition of Labor and Business, Alameda &
Contra Costa Counties:

Land use controls should be deleted. COLAB proposes that if an alternative to imposition of land use controls is required, the State Air Resources Board should consider implementing a light duty vehicle inspection emission inspection program....Land use controls have legal, institutional and political problems. Air quality benefits are marginal.

Dohemann Financial Corporation:

Oppose this portion of the air quality plan.

Response:

EMTF deleted from initial plan. See response to San Mateo County Central Labor Council.

None needed.

Plan as drafted had both land use and light duty inspection and maintenance in it. Both were estimated by staff to be necessary for attainment and maintenance of the standard. Since draft plan, EMTF has deleted land use controls from the initial plan, with land use to be further studied in the continuing planning process if it is determined that no sanctions will be applied merely because the measures are being studied further.

See response to City of San Jose above.

GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL POLICIES OR ACTIONS (continued)

Individual/Comment:

Response:

San Leandro Manufacturers' Association:

Land use measures should be relegated to the status of long-range planning under the continuous planning process utilizing existing agencies.

See response to San Mateo County Central Labor Council.

Richard A. Spellman, Councilman, El Cerrito:

One factor in regional development is not addressed--the large amount of acreage devoted to parking lots. Means should be explored for providing economic incentives for multiple decking of parking lots; this could free up land for housing close to public transportation.

Policies C, F, G and H are deficient in that they do not seem to recognize the need for minimal open space and recreational areas, even in urban centers.

This would not intended; certainly the modest density increases proposed in the draft plan would not have required the conversion of all open space in cities to housing units, apartment buildings and commercial activities. We agree that special care would have to be taken to implement these measures.

Action 37 should not be implemented; we should not deny public transportation to large scale developments; goal is to cut emissions.

Intent was as an implementing measure for jobs/housing balance.

Action 49 could be grossly unfair to local agencies. There may be good reasons for not following all AQMP dictates.

Specific agreements would have been called for that would minimize the conflicts between air quality goals and other social goals. See response to San Mateo Council Central Labor Council.

Alameda County Environmental Management
Citizens Advisory Committee:

The committee needs more time to study this.

See response to San Mateo County Central Labor Council.

GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL POLICIES OR ACTIONS

Individual/Comment:

Response:

Air Conservation Council of Northern California:

Strongly support these measures.

None needed.

Napa Chamber of Commerce:

Oppose the idea of land use and the thought of regional government. We believe in local government the powers should remain with cities and counties in conformance with custom and state law.

Land use is already controlled by local government, as well as various State-created agencies. The prevailing "custom" and State law of recent years has been to substantially erode the powers of local government. The draft was intended to be implemented as much as possible by local government; nothing about regional government was recommended in the plan despite numerous public comments to the contrary.

Marin County Board of Supervisors:
Land use element should be deleted.

With regard to the land use element, the Board indicated it could be that after a year of study that element could be changed rather than deleted but that at least a year's time would be necessary for this review and revisions.

EMTF has recommended further study of land use in the continuing planning process; see response to San Mateo County Central Labor Council.

Alameda County Water District:

This portion should be revised to reflect that special districts have no authority to exercise land use powers.

Special district service policies do have an influence on local development activity.

Neither ABAG nor LAFCO have responsibility for providing satisfactory service for constituencies of various districts. Therefore it is not reasonable that they should have any power over such capital improvement programs.

Review functions are not necessarily "power over." The fact that certain special district programs do influence land development activity has prompted legislation in Sacramento to require special district CIPs to be consistent with local general plans.

AIR QUALITY GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL POLICIES OR ACTIONS

Individual/Comment:

Response:

Pittsburg Chamber of Commerce:

Opposed approval at this time.

See response to San Mateo County Central Labor Council.

Town of Los Altos Hills:

Opposes land use controls in the AQMP.

See response to San Mateo County Central Labor Council.

California Department of Transportation
Office of State Planning:

Some of the development and land use management actions could adversely affect projects of State or national significance. Transportation programs for maintenance and rehabilitation should be excluded from the proposed development actions.

See response to San Mateo County Central Labor Council.

City of Mountain View:

Recommend deletion of the land use controls because of their minimal impact on air quality improvement, large but undetermined local fiscal and social cost of such actions and the fact that such controls are not required by EPA nor can they be enforced unless locally imposed.

See response to San Mateo County Central Labor Council.

John Holtzclaw:

Add actions that cities and counties would exclude low density development until a substantial portion (approaching 50%) of their work force commutes by transit; add "greater use of Highway Trust Funds for transit construction, acquisition and operation" to Action 44.

See response to San Mateo County Central Labor Council; suggested amendment to Action 31 would be difficult to implement; Action 44 could be modified.

GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL POLICIES OR ACTIONS

Individual/Comment:

Response:

Dale Marr, Business Manager, Operating
Engineers Local Union No. 3, San Francisco:

Delete land use and growth controls from the plan.

See response to San Mateo County Central Labor Council.

Supervisor John George, Alameda County:

Critics of land use controls for the EMP miss an important point. Even with the land use component out, the rest of the EMP will have significant land use impacts....Imposition of certain air quality standards will restrict the location and expansion of industries in certain parts of the region. Other restrictions will condition the site preparation of industrial plans to be built or expanded in other areas. These impacts may be positive for some groups and negative for others....And all of this will happen without the land use component...Past urban sprawl has adversely affected the poor, particularly minorities. During the past two decades the poor have been continually displaced by freeway expansion, mainly to serve suburbanites. Widespread inflation of housing costs has largely excluded the poor from new housing...Continuing this trend knowingly into the future will be regarded as a new form of racism.

We don't disagree.

City of Half Moon Bay:

Endorses Board of Supervisors report; with additional recommendation that land use management element be eliminated from the plan entirely.

See response to San Mateo County Central Labor Council.

GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL POLICIES OR ACTIONS

Individual/Comment:

Response:

Metropolitan Transportation Commission:

The following policy should be considered by the ABAG General Assembly:

"Cities adopt a strategy of high density residential or commercial zoning around all BART stations and around all major fixed point transportation centers, where it would improve use of public transit without causing other major environmental problems. This proposal would support better utilization of the regional transportation system."

City of Pleasanton:

Council recommends land use measures be deleted from the EMP.

EMTF has recommended land use control measures be further examined if no sanctions can be applied merely because such measures are identified for further study; the measure suggested would be consistent with criteria for a State Implementation Plan revision for development actions supporting transportation actions but it would have the same problems with EPA enforcement that many find objectionable.

See response to San Mateo County Central Labor Council.

Governor's Office of Planning and Research:

Compact growth should be accomplished without the loss of low and moderate income housing. The plan should propose that steps be taken to make sure housing needs of low and moderate income people are met.

Generally, these are the functions of a housing plan, not an air quality plan. OPR should note, however, that the AQMP as drafted included (Policy F, and Actions 17, 19, 20, 21, 22, 33, 43, 44, 45 and 46) special attention to the probable consequence that compact growth would have adverse effects on some low and moderate income households; OPR should also note that one possible mitigation measure that it does not mention is city and county implementation of the Governor's Urban Strategy.

ISR needs to be more carefully detailed in the plan; residential development of more than 50 units should be added to the list of projects requiring review under this policy.

See response to San Mateo County Central Labor Council; if these measures are included in the plan for further study, further attention would be given to this suggestion.

GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL ACTIONS

Individual/Comment:

Governor's Office of Planning and Research (cont.):

Impacts of the land use management actions were not individual assessed. ABAG should attempt to do so individually for each proposed action.

Agreements to implement the control strategies should be obtained before the final plan is adopted. Enforcement of local agencies' responsibility to implement the plan should also be clarified.

Cost/benefit analysis of land use and transportation controls is needed; more attention needs to be focused on the benefits other than health and vegetative protection. The potential for stimulating certain types of industrial growth, development of job opportunities, and housing costs should be conducted during the continuing planning process.

State Office of Economic Opportunity:

Compact growth recommendations don't go far enough. We also suspect that they would be at the expense of the low income and minorities:

Response:

Assessment was as a package because the policies and actions were designed to achieve a specific objective of achieving compact development, thereby reducing regionwide VMT.

In practice it is difficult if not impossible to achieve "agreements to implement" something that is not adopted; ABAG and other agencies will proceed expeditiously with management agreements and other commitments to implement measures during the months following plan adoption by the General Assembly. No such agreements will be required of local cities and counties since they are not responsible for implementing any of the control measures included in the AQMP as recommended by EMTF.

See AQMP Tech Memo 15-A/E Tech Memo 4; further assessment is scheduled for the continuing planning process.

GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL POLICIES OR ACTIONS

Individual/Comment:

Response:

State Office of Economic Opportunity (cont.):

that without very strong and clear policies, these groups would continue to be more concentrated in high density and deteriorating urban centers while the more affluent could continue to live in relative low density ex-urban areas. The underlying difficulty is that specific urban growth plans would normally be developed in general plans rather than in this document.

We don't disagree with the spirit of these comments. While we would acknowledge that the compact growth policies could disproportionately affect certain groups, mitigation measures were also included. Since EMTF has placed land use measures in the continuing planning process for further study if no sanctions can be applied to the region because such measures are being studied further, the implicit planning assumption is that current development trends in the region will continue; it is only fair to acknowledge, as OEO has, that these policies also have adverse impacts on certain economic and social groups.

State Department of Housing and Community Development:

Concerned that the compact growth strategy could be implemented without expanding and conserving housing opportunities...Presently only action 31 under policy J addresses the problem of housing and suitable price ranges. This Action should be supported by an amended Policy F to encourage increased housing and job opportunities in existing urbanized areas for all economic segments of the population. Policy L should include an action to discourage development proposals whose residential components do not address local low and moderate income housing needs. Recommends Policy H (higher densities) be identified as mitigation measure to offset some of the increased housing costs associated with compact growth; recommends large scale development projects be reviewed

See response to Governor's Office of Planning and Research.

GENERAL POLICY IV - COMMENTS NOT SPECIFIC TO INDIVIDUAL POLICIES OR ACTIONS

Individual/Comment:

Response:

State Department of Housing and Community Development (continued):

for housing impact in a manner similar to the one proposed for air quality. In this manner ABAG can identify and discourage proposed residential development that does not meet the needs of the localities' low and moderate income residents and workers.

Yes, ABAG could do that; one might conclude such a review is what certain interests wish to avoid by arguing that land use measures are inappropriate to an environmental plan.

City of Novato Planning Commission:

Supports the EMTF's decision to move consideration of the compact growth policies to the continuing planning process.

None needed.

Department of the Air Force, Western Region:

Air Installation Compatible Use Zone guidelines should be incorporated within this policy.

This could be considered during the continuing planning process if EMTF recommendation on land use measures is approved by the General Assembly.

PLAN IMPLEMENTATION AND CONTINUING PLANNING
PROCESS COMMENTS (CHAPTER IX)

January 3, 1978 to
February 16, 1978

CHAPTER IX - COMMENTS NOT SPECIFIC TO POLICIES OR ACTIONS

Individual/Comment:

Staff Response:

East Bay Municipal Utility District: "ABAG is not a water supply agency, an air quality agency, a solid waste agency nor a water supply agency." Recommend deletion of ABAG from list of agencies having environmental management responsibilities.

Agencies were listed if they had planning, regulation, service delivery or other activities. Since ABAG is a planning agency, it is properly listed.

Change references to a water management coordinating council to a water management coordinating committee.

This would be done if name of group is changed by actions on the WQ chapter.

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Castro Valley Sanitary District: Calls for "provision for a more direct policy role and representation of wastewater agencies in the continuing planning process and subsequent plan adoption or amendments."

See response to Plan Implementation Recommendations 4 and 11.

Also calls for "Provision of a more effective means of assuring coordination of the wastewater facilities grant review and the continuing planning processes with the State and Regional Boards."

Recommendations 3 and 6 call for a memorandum of understanding and joint water quality planning staff between ABAG and the Regional Board. This, in our judgment, would satisfy the concern that coordination be improved.

* * * * *

Supervisor Fred Cooper, Alameda County: Add the following language to the plan: "The proposal set forth herein for the continuing planning process will expire automatically July 1, 1980. Between now and that date, ABAG will work with the State Legislature to attempt to get legislation similar to the prior Knox bills for elected regional government through the legislature. The proposal would

Supervisor Cooper is correct when he points out in his letter that nothing is said in the plan about what would happen after the two-year period under which the EMTF is recommending using existing agencies to implement the plan and carry out the continuing planning process. What is proposed in the plan

CHAPTER IX - COMMENTS NOT SPECIFIC TO POLICIES OR ACTIONS (continued)

Individual/Comment:

Staff Response:

Recommendation of Supervisor
Cooper, continued:

include a governing board of 50 persons, 25 of them supervisors and city councilmembers chosen similarly to the Executive Board of ABAG, and the other 25 directly elected by voters from districts. The proposed regional government will take over the present functions of ABAG, MTC, BCDC and BAAPCD. If possible, the Regional Water Quality Control Board will also be included, but its inclusion is not considered essential. If the legislation is not passed by July 1, 1980, the ABAG General Assembly will decide in the spring of 1980 how the continuing planning process will be managed after July 1, 1980."

is a longer term study during the continuing planning process of other governmental arrangements. Supervisor Cooper indicated his desire to include such options in the continuing planning process, and they are listed in the plan on Pages IX-25 and IX-26. The language Supervisor Cooper recommends is consistent with one of the options.

We do agree, however, with Supervisor Cooper, however, that the plan would be strengthened by some specific language about what the General Assembly should do when regarding the study of the options.

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Contra Costa County Board of
Supervisors/County Planning
Department: Concerned that chapter is not well organized and contains information not needed for the approval document.

Recommends redrafting chapter, and gives specific suggestions for what should and should not be included. Recommends that description of continuing planning process under water quality reflect guidance material issued by the State Water Resources Control Board.

Staff generally agrees that this chapter as drafted could be better organized. At present, the guidance document referred to has not been adopted. It is being substantially revised, may not be issued in the near future.

Chapter IX - COMMENTS NOT SPECIFIC TO POLICIES OR ACTIONS (continued)

Individual/Comment:

Staff Response:

Santa Clara County Board of Supervisors: This chapter should be rewritten to clarify distinction between planning and implementation.

We agree.

It should specify that the General Assembly is the final authority for plan changes, and that adequate time be available for public review and comment on proposed amendments to the initial plan.

We agree. General Assembly adoption of plan amendments was always anticipated. Part of the confusion is that it was erroneously indicated by ABAG staff that only the blue pages would be adopted. The white pages will be adopted as well. We agree that, where possible, the specific language from the white pages should be included in the policies.

East Bay Dischargers Authority: Calls for "provision for a more direct policy role and representation of subregional wastewater agencies in the continuing planning process and subsequent plan, adoption or amendments."

See response to Plan Implementation Recommendations 4 and 11.

Also calls for "Provision of a more effective means of assuring coordination of the wastewater facilities grant review and the continuing planning processes with the State and Regional Boards."

This comment was also made by the Castro Valley Sanitary District above, and our response is the same. The proposed memorandum between ABAG and the RWQCB would satisfy the concern that coordination be improved.

East Bay Dischargers Authority: Add to continuing planning process text, second paragraph on Page IX-16: "High priority will be given to evaluating means of coordinating agencies designated to implement the water quality management plan into subregional groups. Designation of existing subregional agencies will be carefully considered."

We agree. This could be a task in the continuing planning process.

CHAPTER IX - COMMENTS NOT SPECIFIC TO POLICIES AND ACTIONS (continued)

Individual/Comment:

Staff Response:

East Bay Dischargers Authority: Add to text on EMTF responsibilities on Page IX-8 the following: "To develop and recommend governmental and financing mechanisms for planning and implementation beyond the interim period. This will include evaluation of methods for provision of more direct policy roles for subregional wastewater agencies in the continuing planning process and plan updating."

We agree this is a useful suggestion. It fits in with the financing recommendation 14 in this chapter, as well as the study of governmental options.

Add to inside front cover of plan: "The plan proposes no institutional changes. It recommends that existing public agencies continue to implement measures to protect the environment. This plan relies on the planning and leadership capabilities of ABAG to facilitate the work of these agencies. It is the intention of ABAG to limit its environmental role in the continuing planning process to that of planning, coordination and leadership."

We don't disagree that this has been the general intent of the EMP. However, some minor institutional changes have been proposed, and further study of governmental reorganization has been recommended.

Therefore it is slightly misleading to add this language to the inside front cover.

City of Pacifica: Recommends no new agencies be created to implement the plan. Recommends that plan be coordinated through ABAG, which shall have no new authority or functions.

The plan recommends that ABAG be a planning and coordination agency in the CPP.

CHAPTER IX - COMMENTS NOT SPECIFIC TO POLICIES AND ACTIONS (continued)

Individual/Comment:

City of Hercules: "Probable costs of implementing the EMP, to the communities and agencies, have not been identified nor have sources of funds for implementation been advocated."

Staff Response:

Costs for implementing the surface runoff control measures were not estimated by the Contra Costa County Planning Department, which prepared that county's surface runoff plan. For other parts of the plan, costs are identified, and sources of funds specified. We don't disagree that additional information should be provided. It is not accurate that no advocacy of funding is included. These are included in VIII and IX.

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City of Antioch: "The EMTF should provide a more detailed report dealing with the management and fiscal feasibility of the plan."

See comment above. Financial information is included in the plan. In addition, management agreements would indicate management feasibility. Longer term financing issues will be examined during CPP.

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Town of Moraga: "It is recommended that the ABAG role be more clearly defined to be only that of a clearinghouse and planning organization. Specific recommendations or programs of action should originate from those agencies already being designated with line authority, including the Bay Area Air Pollution Control District, San Francisco Bay Regional Water Quality Control Board, etc."

We disagree that only regulatory agencies should propose things for the plan. ABAG was designated to prepare a plan indicating what steps would be necessary. BAAPCD, MTC and RWQCB helped identify measures. ABAG's role in the continuing planning process would be as a planning/coordinating agency.

Plan Implementation Recommendation 1: Implement the initial plan, as much as possible, by existing governmental agencies using current authority.

Individual/Comment:

Staff Response:

San Mateo County Council of Mayors: Support

None needed.

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Santa Clara County Board of Supervisors: Use of term "Plan Implementation" in this recommendation is confusing since this chapter refers to the continuing planning proces . If the recommendation referse to the continuing planning process, it should be reworded as follows: "The major responsibilities for carrying out the continuing planning process should lie with existing agencies, using their existing powers."

We agree that the term is confusing. There probably should be a Plan Implementation recommendation, and a CPP recommendation.

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City of Daly City: Support.

None needed.

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San Mateo County Board of Supervisors: Support.

None needed.

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Plan Implementation Recommendation 2: Where current legal authority for carrying out plan recommendations does not exist, enact legislative changes to obtain such authority, as recommended in Chapter VIII (Recommendations to Congress and the California Legislature) of the Environmental Management Plan.

Individual/Comment:

San Mateo County Council of Mayors: Modify as follows: "...such authority to implement the Environmental Management Plan." Strike remainder of original wording.

Santa Clara County Board of Supervisors: This action should be deleted. "Virtually none of the recommendations referred to in Chapter VIII have anything to do with the continuing plan process, and the few which are related to planning do not involve seeking additional legal authority."

City of Daly City: Modify as follows: "...such authority to implement the Environmental Management Plan." Strike remainder of original wording.

San Mateo County Board of Supervisors: Recommend same changes as recommended by City of Daly City and San Mateo County Council of Mayors.

Staff Response:

Staff included reference to Chapter VIII only to make it clear that ABAG is seeking no implementing authority by this plan. The suggested wording is consistent with the intent of the recommendation, however.

We agree with the statement, but the recommendation for implementation deals with more than CPP.

This recommendation is the same as the San Mateo County Council of Mayors. See response above.

See response above.

Plan Implementation Recommendation 3: Implement the following short-term improvements for environmental management:

- A Memorandum of Understanding between ABAG and the San Francisco Bay Regional Water Quality Control Board to integrate water quality planning by the two agencies.
- A formal resolution establishing a coordinated water quality research and data collection program.
- An agreement among major water and possibly wastewater agencies to form a water management coordinating council to address regional water supply issues.
- A continuation of existing agreements among agencies presently participating as the Air Quality Maintenance Plan Joint Technical Staff.
- An agreement among the Bay Area Air Pollution Control District, the Metropolitan Transportation Commission and ABAG on the implementation of Indirect Source Review (ISR).
- Specific administrative procedures for streamlining the permit system for solid waste facilities.

Individual/Comment:

Staff Response:

East Bay Municipal Utility District: "Change the second item in the list to read 'Fully explore the coordination of laboratory and field work presently performed by the dischargers.'"

See discussion in WQ plan.

Change the third item to read: "Form an informal water management coordinating committee of major water agencies to discuss and define the region's need for cooperative water supply management and to determine whether a permanent organizational structure would be appropriate for an ongoing regional planning effort."

See discussion in WS plan.

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San Mateo County Council of Mayors: Support, but add "and ABAG General Assembly" in the item on indirect source review.

Normally joint memoranda are the responsibility of the Executive Board and ABAG President to execute.

(This recommendation was later rescinded.)

PI Recommendation 3 (continued)

Individual/Comment:

San Mateo County Council of Mayors: Delete item on administrative procedures for streamlining solid waste permit procedures because it is already being done.

Castro Valley Sanitary District: Calls for "establishing the role of ABAG in the continuing planning process as one of coordination and leadership rather than one of regulation or implementation."

Santa Clara County Board of Supervisors: Wording is unclear. "The first item under the introductory statement is the same as recommendation 6. The fourth item is repeated as Recommendation 5. The redundancy is unnecessary and confusion." Delete the last two items because they are unrelated to the continuing planning process. Modify introductory statement to read "Initiate or continue inter-agency agreements necessary for cooperative planning activities."

East Bay Dischargers Authority: Calls for "establishing the role of ABAG in the continuing planning process as one of coordination and leadership rather than one of regulation or implementation."

Staff Response:

We disagree; see discussion in SW plan on recommendation.

This has been the intent of the EMP. Recommendation 3 could be redrafted to reflect the concern expressed.

We agree that the fourth item repeats Recommendation 5 and one of them should be deleted. However, the first item (referring to a memorandum of agreement with ABAG and RWQCB) is not the same as a recommendation of establishing a joint staff, although the agreement could establish such a staff. The suggested change in the introduction might eliminate some confusion. We disagree that the last two items in the list of activities are not part of the continuing planning process, because the nature of the agreements and procedures called for would have to be worked out in the continuing planning process.

This has been the intent. Recommendation 3 could be redrafted to reflect this concern.

PI Recommendation 3 (continued)

Individual/Comment:

Staff Response:

City of Daly City: Support,
but add "ABAG General
Assembly" to item on
indirect source review.

This is the same
recommendation as
the San Mateo County
Council of Mayors
(later rescinded).
See response above.

Delete item on administrative
procedures for solid waste
permit system. because it
is already being done.

Again, this item
is the same as the
SM Council of Mayors.
See response above.

* * * * *

San Mateo County Board of
Supervisors: Support, with
the following recommendations:

Memorandum between ABAG and
RWQCB should reflect changes
proposed for WQ element.

The memorandum would
reflect the adopted
provisions of the EMP.

Agreement for WMCC should
be initiated by the SWRCB.

We disagree. See responses
to item in WS plan.

Add ABAG General Assembly
to indirect source review
item.

See response above.

Delete item on administrative
procedures for solid waste
permit system because it is
already being done.

See response above
and in SW element.

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Plan Implementation Recommendation 4: Continue the Environmental Management Task Force, with its current size and composition, as the policy advisory committee to ABAG for a period of up to two years.

Individual/Comment:

Staff Response:

San Mateo County Council of Mayors: Support.

None needed.

Castro Valley Sanitary District:
Recommend restructuring of the EMTF to "provide more direct representation for those agencies responsible for implementing the plan."

This decision is up to the Executive Board and General Assembly. It deserves consideration.

Santa Clara County Board of Supervisors: Support, with the amendment that only the ABAG General Assembly, and not the EMTF, has the power to amend the plan."

This is the intention. The problem could be handled by adding a separate recommendation, as suggested by the Board, and not amending the wording of this recommendation.

East Bay Dischargers Authority:
Recommend restructuring of the EMTF to "provide more direct representation for those agencies responsible for implementing the plan."

This decision is up to the Executive Board and General Assembly. The issue deserves consideration.

Could be accomplished by adding sentence to the recommendation "Increase the size of EMTF to include representatives of existing subregional wastewater management agencies."

City of Daly City: Support.

None needed.

San Mateo County Board of Supervisors: "Support, but it should be made clear that the EMTF is advisory to the ABAG General Assembly, which should continue to be the main policy-making body for the plan."

This has been the intent. Probably should be a separate policy. See response above to Santa Clara County Board of Supervisors.

Plan Implementation Recommendation 5: Continue the existing staff arrangements for air quality planning.

Individual/Comment:

Staff Response:

San Mateo County Council of Mayors: Support.

None needed.

Santa Clara County Board of Supervisors; Support, with suggesting that either this action, or the fourth item listed under Recommendation 3 be deleted, since they are the same.

We agree.

City of Daly City: Support.

None needed.

San Mateo County Board of Supervisors; Support.

None needed.

Plan Implementation Recommendation 6: Establish a joint water quality planning staff similar to that for air quality planning. This staff would be drawn from ABAG and the Regional Water Quality Control Board.

Individual/Comment:

Staff Response:

San Mateo County Council of Mayors: Recommend deletion.

We disagree. See comments below.

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Castro Valley Sanitary District: Calls for "establishing the role of ABAG...as one of coordination and leadership rather than one of regulation or implementation."

This has been the intent of the EMP. The proposed joint staff would improve coordination, with regulation taking place by the Regional Board. Joint staff is to make sure local governments concerns are communicated directly to staff of the Regional Board well before policies are adopted.

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Santa Clara County Board of Supervisors: Support.

None needed.

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East Bay Dischargers Authority: Calls for same action as Castro Valley Sanitary District above.

See response to Castro Valley Sanitary District comment.

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City of Daly City: Recommend deletion.

We disagree. See response to comment from Castro Valley Sanitary District.

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San Mateo County Board of Supervisors: Delete.

We disagree. See response above to Castro Valley Sanitary District. The only was of ensuring effective cooperation is by establishing a joint planning staff, since both agencies would continue to have water quality planning responsibilities.

Plan Implementation Recommendation 7: Maintain advisory committees to meet as needed during the continuing planning process.

Individual/Comment:

Staff Response:

San Mateo County Council of Mayors: Support

None needed.

Santa Clara County Board of Supervisors: Support.

None needed.

City of Daly City: Support.

None needed.

San Mateo County Board of Supervisors: Support.

None needed.

Plan Implementation Recommendation 8: Continue the Program Review Board after approval of the Initial Environmental Management Plan.

Individual/Comment:

Staff Response:

Policy Recommendation:

San Mateo County Council of Mayors: Support.

None needed.

Santa Clara County Board of Supervisors: Support.

None needed.

City of Daly City: Support.

None needed.

San Mateo County Board of Supervisors: Support.

None needed.

Plan Implementation Recommendation 9: Continue a broad-based public participation program during the continuing planning process. In addition, special efforts would be made to involve low-income, minority and age-category groups in the program.

Individual/Comment:

Staff Response:

San Mateo County Council of Mayors: Support.

None needed.

Santa Clara County Board of Supervisors: Support, but ask what is meant by "age-category groups"?

Senior citizens and youth groups.

City of Daly City: Support.

None needed.

San Mateo County Board of Supervisors: Support.

None needed.

Plan Implementation Recommendation 10: Expand the EMTF Procedures Manual to guide the continuing planning process. Additions necessary to convert initial planning into a continuous effort would be incorporated into this manual.

Individual/Comment:

San Mateo County Council of Mayors: Add "Such plan to be approved by the ABAG General Assembly."

Staff Response:

There is no reason for the General Assembly to approve the EMTF Procedures Manual. The second sentence of the recommendation is confusing and should be rewritten. The recommendation of the council of mayors is better applied to Recommendation 11.

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Santa Clara County Board of Supervisors: Support, but asks who adopts this manual.

The current manual was prepared by staff to reflect adopted ABAG Executive Board and EMTF procedures. It has been used as a sourcebook for Executive Board guidance on the process the EMTF has used to develop the plan, and recommend it to RPC, the Executive Board and General Assembly.

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City of Daly City: Add "such plan to be approved by the ABAG General Assembly."

See response to recommendation above from San Mateo County Council of Mayors.

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San Mateo County Board of Supervisors: Add "Such plan to be approved by General Assembly."

See response above to San Mateo County Council of Mayors.

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Plan Implementation Recommendation 11: Include in the annual update by the Association of Bay Area Governments of the Environmental Management Plan the following:

- Changes recommended as a result of non-compliance with the plan in the preceding year.
- New policies and actions.
- Recommended response to changes by State, Federal or other implementing agencies.
- Formal action on conditions adopted by State or Federal agencies when approving the preceding year's updated plan.

Individual/Comment:

San Mateo County Council of Mayors: Add "Summarize benefits, costs and progress of plan in preceding year."

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Santa Clara County Board of Supervisors: Delete the first two items, and replace with "Proposed changes based on information obtained and objectives accomplished during the preceding year." Add "An annual work program indicating the major tasks proposed to be initiated and/or completed during the following year."

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Castro Valley Sanitary District and East Bay Dischargers' Authority: Call for "provision for a more direct policy role and representation of subregional wastewater agencies in the continuing planning process and subsequent plan adoption or amendments."

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City of Daly City: Add "Summarize benefits, costs and progress of plan in preceding years." We agree.

Staff Response:

This is a useful addition. Also see staff response to Recommendation 10 above for suggestion that "such plan to be approved by ABAG General Assembly" be added.

These are useful suggestions.

See comments on Recommendation 15 and to San Mateo Board of Supervisors below.

This could be considered by the Executive Board or made a special task in the continuing planning process.

PI Recommendation 11 (continued)

Individual/Comment:Staff Response:

San Mateo County Board of Supervisors: Add two items:

Summarize benefits, costs and progress of plan in preceding year.

An annual work program indicating the major tasks proposed to be initiated and/or completed during the following year.

We agree.

This would not be in accordance with ABAG Bylaws, adopted by the General Assembly. The preliminary budget and work program adopted February 8 by the General Assembly indicates the major items to be considered during Fiscal 1978-79. A statement of the general tasks to be included in the coming year's plan update is desirable however, and would better be included in Recommendation 15. The General Assembly should not adopt a "work program" because of the difficulties ABAG has experienced with HUD and other agencies over the years. The specific work program should be adopted, as it now is, by the Executive Board upon the recommendation of the Work Program and Coordination Committee.

Plan Implementation Recommendation 12: Give high priority attention to the following sources for financing the continuing planning process:

- Continued funding under Section 208 of the Federal Water Pollution Control Act.
- Funding under the Clean Air Act Amendments of 1977.
- Funding under the Resource Conservation and Recovery Act of 1976.

Individual/Comment:

Staff Response:

San Mateo County Council of Mayors: Support.

None needed.

Santa Clara County Board of Supervisors: Support.

None needed.

City of Daly City: Support.

None needed.

San Mateo County Board of Supervisors: Support.

None needed.

Plan Implementation Recommendation 13: For the period up to two years following approval of the initial plan, use local sources, including local dues to ABAG, primarily to provide the required matching funds for Federal and/or State assistance.

Individual/Comment:

Staff Response:

San Mateo County Council of Mayors: Support.

None needed.

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Santa Clara County Board of Supervisors: Support.

None needed.

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City of Daly City: Support.

None needed.

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San Mateo County Board of Supervisors: Support.

None needed.

Plan Implementation Recommendation 14: Develop and implement a long-term program for financing environmental management beyond the initial two-year period using a combination of local, State and Federal funds.

Individual/Comment:

Staff Response:

San Mateo County Council of Mayors: Support.

None needed.

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Santa Clara County Board of Supervisors: Non recommendation.
"Is a long-term program necessary? Federal air and waste pollution legislation require standards to be met within the next ten years."

Long-term for the purposes of this recommendation was beyond the initial two-year period mentioned in Recommendation 13. This probably should be clarified.

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City of Daly City: Support.

None needed.

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San Mateo County Board of Supervisors: Support.

None needed.

Plan Implementation Recommendation 15: Conduct the continuing planning process tasks as described in Chapter IX (What Happens After the Plan Is Approved) of the Environmental Management Plan.

Individual/Comment:

East Bay Municipal Utility District: "Revise the list of tasks (in the chapter) to be consistent with amendments in the individual management plans."

On the list of governmental organization options, it is not clear who would analyze these options and make recommendations. "It's not clear why these options need to be listed in the plan since they are not part of the plan." Recommend deletion of list of options.

Staff Response:

Continuing planning process tasks are also found in Chapter IX, and not just the individual management plans. However, as the individual management plan continuing plan process recommendations are changed, they would also automatically change the list in Chapter IX.

We agree that the plan should specify who would study these options. It would be the EMTF. These options were included in the plan for further study in the continuing planning process at the direction of the EMTF, who extensively studied the issue.

San Mateo County Council of Mayors: Support.

None needed.

Santa Clara County Board of Supervisors: Oppose because tasks listed in the chapter are not to be adopted, since they don't appear on the blue pages. We understood only the blue pages were to be adopted. Yet many of the tasks don't appear on the blue pages.

We agree this is very confusing in its present form. There are continuing planning process tasks specified in the blue pages, but there are also tasks specified elsewhere in the plan. Revision is necessary.

PI Recommendation 15 (continued)

Individual/Comment:

Staff Response:

City of Daly City: Support.

None needed.

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San Mateo County Board of Supervisors: Support, but add "Any major work items in Chapter IX which should be considered for adoption should be identified as separate recommendations listed here."

We agree generally, although we'll have to develop specific language for consideration.

COMMENTS ON
LEGISLATIVE RECOMMENDATIONS, PLAN IMPLEMENTATION,
CONTINUING PLANNING PROCESS AND AFFIRMATIVE ACTION
POLICIES

February 16, 1978 to
March 16, 1978

COMMENTS ON LEGISLATIVE RECOMMENDATIONS (CHAPTER VIII)

INDIVIDUAL/COMMENT:

RESPONSE:

Landal Institute:

Add legislative recommendations:

1. Enact comprehensive legislation to protect prime farm land from urban pressures. Options to preserve even very small acreages should be available.
2. Enact legislation to carry out the policy recommendations of the State Small Farm Liability Project, and ensure that the proposed small farm services be made available in urban counties.

Staff suggests that, if land use actions in the air quality plan are deferred to the continuing planning process, these two recommendations be considered in that process.

Ralph W. Ballmer--Sierra Club NCRCC:

ABAG/MTC should initiate in 1978-79 a full accounting of all auto/highway costs in Bay Area and recommend to the State Legislature an increase in highway user gas taxes to finance these costs. ABAG/MTC should recommend the reduction of property and/or sales taxes in compensation.

State Transportation Board studies indicated full accounting of such costs does not now occur. Pricing policies as supplements to regulation have been recommended for further analysis in continuing planning process.

City of Newark:

Recommend deletion of Recommendation relating to enactment of legislation to promote waste reduction and improved the competitive position of Secondary Material be deleted.

See responses on Policy 11 of SW Plan. If this policy is deleted or changed, the legislative recommendation would change accordingly.

Harry Seraydarian, EPA:

Need legislative recommendations for inspection/maintenance and heavy duty retrofit programs.

We agree. Their omission was an oversight. EMTF action in AQ plan on these items placing on the consent calendar will mean staff will develop such recommendations for General Assembly action.

City of Brisbane:

Suggestions for legislative recommendations:

1. Provide tax breaks for reclaimed water use.
2. Provide incentives for source separation of solid wastes.
3. Fund inventory of Class I materials.
4. Ban off-road vehicle use.
5. Congress change ICC rules to stimulate resource recovery.

Refer this to WMCC.

See Action 12.2 of SW plan

Already being done; see Action 13.1 of SW plan.

This option could be considered in CPP.

This is covered in Action 11.1 of SW plan.

CHAPTER IX - COMMENTS NOT SPECIFIC TO POLICIES OR ACTIONS

William C. Hern, Executive Director, Peninsula Manufacturers Association

"...we are concerned that some of the recommendations giving ABAG a different role than they have filled in the past may well lead by indirect means to a form of regional government that has not been achievable by direct means. We strongly urge that whatever plan is finally adopted make every effort to utilize existing agencies in its implementation and that no new agencies be formed or old agency given new roles unless there is absolutely no other way to accomplish a clearly needed and well defined purpose."

"...replete in the financing of this program are suggestions as to how it can be funded from State or Federal sources. Those of you who have experienced programs funded by the State or Federal government know well that with funding comes control."

Planning Policy Committee of Santa Clara County

"...the major responsibility for implementing the Plan's policies should lie with local government agencies."

"...it is imperative...that adequate State and Federal funds be provided to local agencies to aid in implementing the policies of the Plan."

"The text in Chapter IX fails to make a distinction between "planning" and "implementation."...The recommendations not related to the continuing planning process should be deleted from this section."

"[These recommendations tend] to leave the impression that it is the EMTF, rather than the General Assembly, which has the ultimate authority for making changes in the plan. To

The draft EMP specifically recommends the creation of no new agencies at any level of government. The plan does recommend that ABAG continue as a planning and coordinating agency for the continuing planning process. This would not be a new role for ABAG because this has been its responsibility during preparation of the initial plan.

The alternative to State and Federal funding is funding purely at the local level. Most people would find this unacceptable. In addition, State and Federal programs provide billions of dollars yearly for capital intensive projects such as wastewater treatment plants. Staff agrees, however, that outside money does bring a certain amount of outside control over how it is to be spent.

Staff agrees.

Staff agrees. Every effort should be made by local and regional agencies to secure adequate funding from outside sources to implement the plan.

Staff has reorganized this chapter to make the distinction. Recommendations have been divided into those for "Plan Implementation" and those for the "Continuing Planning Process."

Staff agrees.

clarify this matter, the following policy should be added: "The ABAG General Assembly shall be the body responsible for adopting any changes in the EMP. Recommendations of the EMTF shall not constitute amendments to the Plan unless and until adopted by the ABAG General Assembly."

"...the existing recommendations... fail to ensure that local agencies and the public will have adequate time to review proposed changes in the plan prior to the time they are acted upon by the ABAG General Assembly." Add: "Proposed amendments or revisions to the EMP shall be made available to local agencies and to the public at least three months prior to any ABAG General Assembly meeting at which they are to be acted upon."

Proposed amendments to the EMP will have to be submitted to local governments and the public early enough so that there will be sufficient time for review. Staff agrees that this concept should be set out in the initial plan. Three months is one possibility; decision makers will have the final authority to determine the period for review.

Sara Conner, President, League of Women Voters of the Bay Area

"There are several statements in the implementation section of the EMP which the League supports... But conspicuously lacking is a recommendation for legislation to provide the legal authority necessary for carrying out this comprehensive plan. While planning may continue to be handled by ABAG and the EMTF for the next two years, we believe that the task of implementation demands a different structure - a structure which includes a clear assignment of responsibility to policy makers which can be held accountable for their regional decisions. The League has long supported a directly elected, multi-purpose regional organization. We recommend the formation of a Joint Policy Committee consisting of equal representation from each of the regional agencies that are involved in the EMP implementation plus an equal number of representatives from public interest groups.

The foundation for implementing the initial plan is existing agencies using existing legal tools. The few instances where adequate legal authority does not exist to implement the plan are noted in the chapter "Recommendations to Congress and the California Legislature." Also, one of the tasks proposed for the continuing planning process is a study of governmental organization options for managing the environment, including implementing this plan. These options are listed on pages IX-24-26. The League's suggestion for governmental organization is embodied in the seventh option. The policy committee overseeing development of this study will be determined by EMTF and the Executive Board.

This committee's task should be to develop legislation establishing the legal authority necessary for carrying out the plan."

Contra Costa County Board of Supervisors

"All Plan Implementation Recommendations" which would fragment or transfer the powers of existing government agencies should be deleted.

"All implications of enforcement by a non-governmental association should be deleted."

"Add a [recommendation] which states: 'Where current legal authority exists to implement the EMP is shared by two levels of government, preference shall be given to control by the most local of agencies, and grant funds will be disbursed with this emphasis in mind.'"

"There is no useful purpose in an annual ABAG update of the entire EMP. Statutory requirements should be met and the need for other items should be substantiated. Delete Plan Implementation Recommendations. Replace with a list of items which meets Federal and State statutory requirements, including references to the responsibilities of the State Air Resources Board, SWRCB and the State Solid Waste Management Board."

The draft Plan does not recommend transferring or fragmenting powers, with one possible exception; BCDC, would undertake additional authority with respect to oil spills. BCDC, though, has not expressed interest in assuming this role. Presumably, therefore, the action will have to be modified. On the other hand, the role of ABAG, perhaps that which Contra Costa has in mind, is projected to be a continuation of what the agency has undertaken in the initial plan--one of planning and coordination.

Contra Costa apparently refers to EMTF. The Task Force does not have authority to enforce the plan. Its role in the future might include monitoring plan implementation, which is different than enforcing plan implementation.

Staff does not necessarily disagree with this recommendation, but its effect is unclear.

A continuing planning process, required by Federal law, could not take place without plan update at specified intervals. As the coordinating agency responsible for the initial plan, ABAG seems a logical choice to update this plan. Staff agrees that many of the Plan Implementation/Continuing Planning Process recommendations could be relocated in the air quality, water supply or solid waste plans, although Chapter IX seems a reasonable place to bring all this together. For listing of Federal and State statutory requirements and how the initial plan meets them, see the third chapter of

"Delete the fourteen potential funding sources as background material not appropriate in the Plan that is to be approved, or each measure should be considered by the EMTF, Executive Committee, and General Assembly in their approval proceedings."

"If the material on the 'white pages' is to remain part of the approved plan, a clear and concise draft is needed for review and consideration in the plan approval process."

"Recommendations: 1. Identify for review and consideration all staff recommendations and EMTF approved positions contained in Chapter IX. 2. Delete extraneous descriptive material. 3. Prepare a separate chapter on the 14 financing options, identifying these measures for review and consideration by the EMTF, ABAG Executive Board and the General Assembly."

"Recommendations: 1. Bring the 208 Continuing Planning Process, Plan Update Process, and Plan Implementation into conformance with the guidance for continuing planning in 208 Designated Areas, as adopted by the SWRCB (this adoption is expected in early 1978). 2. If there are staff recommendations that differ from the state adopted process, these should be identified and brought to the attention of the EMTF, the ABAG Executive Board, and the General Assembly.

Volume II "Federal and State Requirements."

The descriptive material on funding sources is similar in nature to the white pages throughout the draft EMP. It is all background textual information. Adoption of this material does not change the effect of the policies, actions or recommendations on the light blue pages. The policy bodies overseeing plan development will decide the status of the white pages. The recommendation on funding sources is that those with high probability be sought, that local sources be de-emphasized during the short term, and that a long-term program for financing the continuing planning process be developed.

Staff notes this comment, which seemingly applies to the entire draft Plan. The "Summary " volume of the EMP serves this purpose.

- (1.) These are noted in the chapter.
- (2.) See response to second previous comment.
- (3.) The financing options are listed and described briefly for purposes of the draft initial plan. As the funding search proceeds, more material will be made available. Preparation of a separate chapter at this point would not, in the opinion of the staff, clarify or change matters.

- (1.) The comment apparently refers to SWRCB's Program Guidance Memo 11, which has been released in draft form. When the memo becomes final, the plan will be brought into conformance, if it is not already.
- (2.) Staff agrees.
- (3.) Staff agrees that more details could be provided.

3. Approval and implementation processes that differ for the three EMP mandated plans as specified by the governing state agency for each plan, should be identified in Chapter IX for the guidance of the local plan approval authorities."

Larry Orman, People for Open Space, and Wayne Hoffman, Natural Resources Defense Council

Add the following: "Plan Implementation Recommendation: Clarification of implementing agencies for land use management measures and a timetable for carrying out such actions shall be the responsibility of the agency certified by the State as the air quality implementing agency for the region. Such implementation responsibilities and timetables shall be completed by September 1, 1978."

Staff does not necessarily disagree with the thrust of the comment. Implementation of the land use measures will depend on where/if they are in the approved plan, and thus details can remain to be worked out.

Ivan Gilman, Chevron U.S.A., Inc.

"...EMTF can play a worthwhile role in the Continuing Planning Process...by assuring consistency among the plans for air, water and solid waste. However, the more detailed future planning in each of these areas can best be done by the agencies which have the appropriate expertise. We see little or no role necessary for ABAG in either the detailed future planning or the implementation of control measures. The task force in all of its actions should aim for more efficient and streamlined government and avoid additional layers of government or duplication of effort."

ABAG's role in continued planning is expected to be one of coordination of the various elements, while working with the Regional Water Quality Control Board, the Air Pollution Control District, the Metropolitan Transportation Commission and other staff that can supplement ABAG expertise in these areas. ABAG implementation is limited to future planning and coordination of the various components; ABAG is not an enforcement agency, except in the narrow sense of its A-95 review role. Several control measures speak to the need for increased efficiency and streamlining in government; see especially Solid Waste Management Plan Policies 5, 6, and 7 as well as Plan Implementation Recommendation 3.

"The future composition of the task force should be chosen carefully to represent equitably all important segments of society in the Bay Region including industry. Technical advisory committees consisting of experts from industry, government agencies and appropriate citizens groups, if properly constituted and given sufficient authority, can provide meaningful input..."

The present task force includes representatives of industry. The Executive Board and General Assembly will decide on the future of the task force. Staff agrees with the comment about technical advisory committees, which have provided expert and highly desirable information during the preparation of the initial plan.

Santa Clara County Board of Supervisors

The Board feels that it is imperative... that adequate State and Federal funds be provided to local agencies to aid in implementing the policies of the Plan.

See response to similar comment by the County's Planning Policy Committee.

...The major responsibility for implementing the Plan's policies should lie with local government agencies.

See response to similar comment by the County's Planning Policy Committee.

The text in Chapter IX fails to make a distinction between "planning" and "implementation." The recommendations not related to the continuing planning process should be deleted from this section.

See response to similar comment by the County's Planning Policy Committee.

[These recommendations tend] to leave the impression that it is the EMTF, rather than the General Assembly, which has the ultimate authority for making changes in the Plan. To clarify this matter, the following policy should be added: "The ABAG General Assembly shall be the body responsible for adopting any changes in the EMP. Recommendations of the EMTF shall not constitute amendments to the Plan unless and until adopted by the ABAG General Assembly."

See response to similar comment by the County's Planning Policy Committee.

...the existing recommendations...fail to ensure that local agencies and the public will have adequate time to review proposed changes in the Plan prior to the time they are acted upon by the ABAG General Assembly. The following recommendations should be added to remedy this deficiency: "Proposed amendments or revisions to the EMP shall be made available to local agencies and to the public at least three months prior to any ABAG General Assembly meeting at which they are to be acted upon."

See response to similar comment by the County's Planning Policy Committee.

Albert M. Teglia, Mayor, City of Daly City

We are in agreement with the recommended amendments [by the San Mateo County City Managers Association]...Many of the recommended amendments to the Plan are directed toward some of the following general concepts: Retaining control at the Local Government level. Elimination of excessive levels of government. Using existing agencies for reviewing, monitoring, and control so that

Staff agrees with the comment and policies underlying it. ABAG's role would be basically one of planning and coordination, not implementing and enforcing control measures.

new agencies are not created. Using existing plans (General Plans, Water Plans, Solid Waste Plans) so that there is no duplication of effort. Minimize ABAG's role in favor of existing regional and State agencies.

Staff agrees with the comment and policies underlying it. ABAG's role would be basically one of planning and coordination, not implementing and enforcing control measures.

Fred O. Wood, City Administrator, City of Gilroy

It would be extremely helpful to local governments' decision on the proposed EMP if ABAG would provide all affected local entities with the estimated additional costs each will incur under the proposed Plan's operation during the next 20 years. Further, a specific ABAG commitment to secure additional local funding to support the Plan over the next 20 years would alleviate much local concern. A study of costs versus benefits should be applied to the funding recommendations under the Plan...

Costs have been estimated as much as possible at this time and are included on the recommendations charts. Staff agrees that it would be beneficial to break down costs by jurisdiction and add up the totals, though there are perhaps too many unknown factors to be able to do this with any degree of precision. Most local governments agree that non-local funding from the State and Federal governments should be sought to cover as much of the plan implementation as possible. Costs and benefits of the Plan's funding recommendations are located on the right-hand blue pages dealing with impacts. Additional information can be found in Volume II's Draft EIR.

Robert W. Quinlan, City Manager, City of Cupertino

In implementing the Plan, the City feels that local governments should play a major role in determining how the policies and actions described in the Plan are applied to the individual jurisdictions. A "good faith effort" should include enough flexibility in implementing the Plan to allow for the differences between communities. In line with this position, the City feels that a greater opportunity and time period should be made available for local involvement in the planning process for future modifications of the Plan.

Flexibility in implementation is implicit in the draft Plan. As for the planning process, local governments hold a majority of the seats on the EMTF, and all seats on the ABAG Executive Board. The time schedule for modifying the initial plan has yet to be worked out in detail, but if it proves too short, actions can be taken at that time to extend it. Also, the need for a delay in considering the initial plan is a lesson that can be applied to the future.

Members of the Council were particularly concerned with the costs of the Plan. Assurances are needed that State and Federal funds will be available to supplement local governments' share of the cost of implementation.

See the second previous response to the City of Gilroy.

San Mateo County Board of Supervisors

The Board...requested that the EMP not be forwarded to any agency beyond ABAG until the specific provisions for implementation of the Plan have been spelled out more clearly.

Each of the management plans contains specific sections on implementation of the Plan. Chapter IX is also devoted to implementation. Staff is unsure what further details are being requested.

The Board will disagree with any measure that would require local funding beyond existing commitments. It is imperative that the specific local funding requirements be determined before the Board could agree to the Plan.

See the response to the City of

San Mateo County Board of Supervisors/County Staff

The emphasis in plan implementation recommendations is to continue existing institutional arrangements for a period of at least two years. This basic recommendation is supported by local staff and has been emphasized further in many of the recommended plan amendments.

No response needed.

Supervisor Arnold Baptiste, Marin County

...In general, these policies and actions are reiterations of statements in the four management plans. However, it should be noted that the general thrust of these recommendations will result in a significantly increased role for ABAG. In some cases, this increased role may overlap existing agencies' present responsibilities (Recommendations 3, 6).

ABAG's role would continue to be one of planning and coordination and would stem from present responsibilities for preparing the initial plan.

Robert J. Stephens, Mayor, City of Menlo Park

Menlo Park also wishes to endorse these recommended changes to the Plan [by the San Mateo County City Managers Association].

No response needed.

San Francisco Tomorrow

Although the Plan states that it does not propose another layer of regulatory regional bodies, SFT suggests that a clear policy be stated in the Plan that no additional regional bodies be created to enforce the Plan; and that when a case occurs that will require the approval of or the involvement of more than one regulating agency, the approval process shall follow a predetermined process to achieve expeditious action by all the concerned agencies.

The Plan calls basically for existing agencies to implement and enforce the Plan with existing legal authorities. A study of future governmental arrangements for environmental management is proposed, however. It is extremely unlikely that this study would propose that any additional agency be created, because this is not a part of the options now approved for study. Several of the options, though, deal with consolidation of governmental agencies. As for the process, the Plan proposes certain actions so that approvals would be made more efficiently, and this would also be studied further during the continuing planning process.

...We have some concerns regarding the proposed assembly of representatives of the cities and counties which will vote to approve the Plan. SFT feels that each representative of a city should be entitled to cast a vote which will be weighted to reflect the population of each city...

EMTF is charged with making recommendations to the ABAG Executive Board and General Assembly. Composition of these two bodies was determined when ABAG was established in 1961, and the formula has not changed since.

S. E. Epler, President, Fremont Chamber of Commerce

...During the implementation of the Plan, every effort must be made to avoid creating new layers of government and decreasing home rule.

See the response to San Francisco Tomorrow on this concern.

We strenuously object to the fact that the Draft EMP has been developed and will be approved by a public agency whose board is not directly elected by the people. We feel that any government or public agency that has the authority to control, in one manner or another, the lives of our people and the conduct of our businesses must be governed by a body elected directly by the people affected. This is the heart of the concept of democracy.

ABAG's Executive Board and General Assembly are composed entirely of locally elected officials. There is no regional agency in California that has its governing body directly elected. This feature is included in the government options study proposed for the continuing planning process.

A. T. Huezo, City Clerk, for the City of Newark

Be it resolved that financing of all measures proposed in the Plan which are currently not underway and for which financing has been arranged must be provided by the State and Federal governments from new revenue sources.

See response to the City of Gilroy above.

Larry F. Walker, Executive Director, Water Quality, State Water Resources Control Board, and Fred H. Dierker, Executive Officer, San Francisco Bay Regional Water Quality Control Board.

It does not appear that [Chapter IX] adequately recognized the legislatively mandated water quality planning responsibilities of the State and Regional Boards. Most of the tasks identified for the water quality management continuing planning process are the statutory responsibility of the Regional Boards.

The specific aspects of the Chapter that form the basis for this comment are not clear. Staff agrees that the Porter-Cologne Act gives major water quality planning responsibilities to the State and Regional Boards. ABAG has also assumed major water quality planning function through the 208 process. These efforts should be consolidated so that all viewpoints can be represented with a maximum of governmental efficiency. The details of any agreement between ABAG and the Regional Board will need to be worked out.

PLAN IMPLEMENTATION/CONTINUING PLANNING PROCESS RECOMMENDATIONS -- COMMENTS
SPECIFIC TO RECOMMENDATIONS

Individual/Comment:

ABAG Staff Response:

Planning Policy Committee of Santa Clara County:

Rec. 11 "The PPC takes exception to the listing of non-compliance being the first reason for changing the plan. We believe this casts the Plan update process in a very negative light. We would propose that the first two items listed in the Recommendation 11 be deleted and replaced by the following: Proposed changes based on information obtained and objectives accomplished during the preceding year."

Rec. 11 See response to Santa Clara County Board of Supervisors.

Rec. 11 "...there is a need to establish some general priorities for action." Add: "An annual work program indicating the major tasks proposed to be initiated, continued, or completed during the following year."

Rec. 11 See response to San Mateo County Board of Supervisors.

Rec. 14 "The PPC believes that before this recommendation is acted upon, there is a need to clarify why "long-term" program is necessary when the Federal laws seem to require that we meet air and water quality standards within the next ten years or less.:

Rec. 14 See response to Santa Clara County Board of Supervisors.

Rec. 15 "If Recommendation 15 is adopted as it is presently written, at least ten additional actions related to air quality would be approved which are not included in the blue pages of the AQMP...While we are not necessarily opposed to the actions that are proposed on page IX-23, we disapprove most emphatically of the "back door" way in which they are to be adopted. We also object to the fact that adoption of governmental organizations for environmental management...This is an important topic which should be addressed specifically and directly.. For these reasons, we are strongly opposed to the adoption of Recommendation 15. Any major new actions proposed in Chapter IX which are not addressed in the blue pages anywhere else in the Plan should be specifically spelled out in the blue pages of this section where they can be reviewed on an individual basis."

Rec. 15 See response to Santa Clara County Board of Supervisors.

California Council for Environmental and Economic
Justice:

Rec.3 Delete the following short-term improvement for environmental management: "An agreement among the Bay Area Air Pollution Control District, the Metropolitan Transportation Commission and ABAG on the implementation of Indirect Source Review (ISR)."

Rec. 3 The fate of Indirect Source Review in approved plan will determine its implementation. The decision, therefore, will be whether or not to keep it in the plan. If it should be kept, these agencies would need to cooperate on its

PLAN IMPLEMENTATION/CONTINUING PLANNING PROCESS RECOMMENDATIONS -- COMMENTS
SPECIFIC TO RECOMMENDATIONS

Individual/Comment:

ABAG Staff Response:

Rec. 3 (continued) implementation. If it is omitted from the initial plan this recommendation would be revised accordingly.

Rec. 15 These comments are really based on the substance of the AQMP. If indirect source review and compact development policies and actions are maintained in the plan, the continuing planning process tasks should reflect this. If they are removed, the tasks should be changed to take this into account.

Rec. 15 Delete Continuing Planning Process tasks for indirect source review and compact development.

Supervisor Arnold Baptiste, Marin County:

Rec. 1 "Adopt."

Rec. 1 No response needed.

Rec. 2 "Adopt."

Rec. 2 No response needed.

Rec. 3 "Regarding the first proposed improvement, "adopt with modifications. Amend to read: "...to coordinate water quality planning..." Regarding the second, third and fourth proposed improvements, "Adopt." Regarding the fifth proposed improvement, "Delete. Permit review and permit issuance function should remain with local agencies. In addition, little is known at this time what Indirect Source Review is and could mean in the future." Regarding the sixth proposed improvement, "Delete. This is an activity currently being accomplished."

Rec. 3 Regarding the first proposed improvement, staff's recommendation is to establish a joint water quality planning staff. This would both coordinate and integrate water quality planning in the Bay Area. No response needed for the second, third and fourth proposed improvements. Regarding the agreement for indirect source review, the comment really is directed to the desirability of indirect source review, located in the comments and responses to this plan should be consulted for the appropriate staff response. About the sixth proposed improvement, the discussion in the solid waste plan should be consulted.

Rec. 4 "Adopt."

Rec. 4 No response needed.

Rec. 5 "Adopt."

Rec. 5 No response needed.

Rec. 6 "Delete. This is a redundancy. RWQCB should provide the regional water quality planning staff."

Rec. 6 See response to the Castro Valley Sanitary District comment.

Rec. 7 "Adopt with modifications. Amend to read: "Maintain advisory and lead agency committees to meet as needed during the continuing planning process."

Rec. 7 Staff agrees.

Rec. 8 "Adopt."

Rec. 8 No response needed.

SPECIFIC TO RECOMMENDATIONS

Individual/Comment:

Rec. 9 "Adopt."
Rec. 10 "Adopt."
Rec. 11 Regarding all aspects, "Adopt."
Rec. 12 "Adopt."
Rec. 13 "Adopt."
Rec. 14 "Adopt."
Rec. 15 "Adopt."

ABAG Staff Response:

Rec. 9 No response needed.
Rec. 10 No response needed.
Rec. 11 No response needed.
Rec. 12 No response needed.
Rec. 13 No response needed.
Rec. 14 No response needed.
Rec. 15 No response needed.

A.T. Huezo, City Clerk, for the City of Newark:

Rec. 2 "Be it resolved that Plan Implementation Recommendation 2... be deleted and that this recommendation be reconsidered after a two-year experience with the EMP."

Rec. 2 Staff disagrees. There are relatively few actions in the proposed plan for which legislative authority to implement does not exist. If the City's comment is that no new legal authority be sought for at least two years, this issue will be raised in conjunction with the individual actions where this authority is not now available. The postponement of plan implementation for two years should not take place by a "back-door" mechanism; the schedules for action should instead be adjusted accordingly.

Rec. 3 "Be it resolved that Plan Implementation Recommendation 3...be revised to delete "an agreement among the Bay Area Air Pollution Control District, Metropolitan Transportation Commission, and ABAG on the implementation of indirect source review (ISR)."

Rec. 3 This commend is directed to the desirability of indirect source review. That portion of the AQMP, the comments and responses thereto should be consulted.

Larry F. Walker, Executive Director, Water Quality, State Water Resources Control Board, and Fred H. Dierker, Executive Officer, San Francisco Bay Regional Water Quality Control Board:

Rec. 4 "We agree that the EMTF should continue as a policy advisory body for water quality management planning. We do not agree that the EMTF should be advisory to ABAG alone. The Regional Board will also be actively involved in water quality management planning and it is highly desirable to have the EMTF act in an advisory capacity to the planning activities of the Regional Board also."

Rec. 4 If a joint planning staff is established between ABAG and RQACB, this would lend weight to having EMTF serve in an advisory capacity to both.

PLAN IMPLEMENTATION/CONTINUING PLANNING PROCESS RECOMMENDATIONS -- COMMENTS
SPECIFIC TO RECOMMENDATIONS

Individual/Comment:

Rec. 6 "We agree that a memorandum of understanding between ABAG and the Regional Board should be developed to set forth the specific planning responsibilities of the two agencies. We do not agree, at this point, that a joint planning staff is either necessary or desirable. We recommend against such a concept until a specific proposal and sound justification for it is provided."

ABAG Staff Response:

Rec. 6 See response to the Castro Valley Sanitary District for the desirability of a joint planning staff. In any event, ABAG staff agrees that the details of specific planning responsibilities between the two agencies should be worked out.

PLAN IMPLEMENTATION/CONTINUING PLANNING PROCESS RECOMMENDATIONS -- COMMENTS

SPECIFIC TO RECOMMENDATIONS

Individual/Comment:

- Rec. 9 "Adopt."
Rec. 10 "Adopt."
Rec. 11 Regarding all aspects, "Adopt."
Rec. 12 "Adopt."
Rec. 13 "Adopt."
Rec. 14 "Adopt."
Rec. 15 "Adopt."

ABAG Staff Response:

- Rec. 9 No response needed.
Rec. 10 No response needed.
Rec. 11 No response needed.
Rec. 12 No response needed.
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Rec. 14 No response needed.
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Rec. 4 If a joint planning staff is established between ABAG and RQACB, this would lend weight to having EMTF serve in an advisory capacity to both.

PLAN IMPLEMENTATION/CONTINUING PLANNING PROCESS RECOMMENDATIONS -- COMMENTS
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Individual/Comment:

Rec. 6 "We agree that a memorandum of understanding between ABAG and the Regional Board should be developed to set forth the specific planning responsibilities of the two agencies. We do not agree, at this point, that a joint planning staff is either necessary or desirable. We recommend against such a concept until a specific proposal and sound justification for it is provided."

ABAG Staff Response:

Rec. 6 See response to the Castro Valley Sanitary District for the desirability of a joint planning staff. In any event, ABAG staff agrees that the details of specific planning responsibilities between the two agencies should be worked out.

COMMENTS ON AFFIRMATIVE ACTION POLICIES AND STAFF RESPONSES

Individual/Comment:

Midpeninsula Citizens for Fair Housing:
Objects to language in Policy VI which suggests there may be some necessary negative impacts. Asked that a third "action" be added to read: "Avoid negative social and economic impacts on housing condition, costs, and patterns. Delay environmental programs until potential housing problems and negative housing impacts can be obviated."

City of Newark: Resolution No. 3197
states: "Be it resolved that the Affirmative Action policies for the Environmental Management Plan be revised to delete Policy 1 and Policy 3 as found on Pages 3 and 4 to eliminate potential for the further confusion of the already confused federal and state enforcements and monitoring activities in Affirmative Action Plan."

ABAG Staff Response:

Staff fully agrees with these concerns. Indeed, the purpose of many of the affirmative action policies is to anticipate and deal with the impacts on minorities and other protected groups. It isn't possible to state, however, that there never will be justifiable public programs which may have negative consequences on minority groups. Some air quality actions which could make housing more difficult to afford for low-income and minorities could also have important physical health benefits for the same persons. It is necessary to anticipate the impacts, particularly in the area of housing, and design mitigation measures to eliminate the negative consequences or--at minimum--reduce them to acceptable levels. This also is true on questions of delay. While careful examination should be made before any actions are taken to carry out the plan, sometimes the costs of inaction far outweigh the negative consequences of taking action. Again, in such instances every effort must be made to eliminate or reduce the negative impacts on housing for minorities and other affected groups. Amended language statement is recommended to reflect these concerns.

Staff agrees that the multitude of state and federal legislation and requirements are confusing enough already. The purpose of Policy I is to begin some coordination among all the separate agencies to eliminate or reduce, duplicating, confusing or conflicting requirements. No new requirements would be added, and it is hoped that existing efforts could be carried out more smoothly

Individual/Comment:

City of Newark - continued

ABAG Staff Response:

and effectively. Modified language is recommended to stress this point. Policy III is also suggested to help cities and other public agencies meet the requirements of affirmative action for EMP projects. Many public bodies have designated a specific person or department to be responsible for understanding how the agency can effectively fulfill the purpose and requirements of state and federal affirmative action laws. The added attention to be paid to affirmative action requirements at the beginning of projects related to the EMP should aid in assuring their acceptance be reviewing agencies and bring support from minority and other interested groups.

COMMENTS AND RESPONSES TO PLAN
IMPLEMENTATION AND CONTINUING
PLANNING PROCESS RECOMMENDATIONS

March 8-31, 1978

COMMENTS ON PLAN IMPLEMENTATION SPECIFIC TO POLICIES AND ACTIONS

Individual/Comment

Response

Carolyn F. Bovat for the City of Clayton

PI Policy 1 - The City Council strongly recommends that existing agencies already staffed with special expertise capable in updating and implementation of the EMP be responsible for those tasks.

Staff agrees. This is the essence of proposed PI recommendation 1. Moreover, the CPP would also make maximum use of existing expertise.

PI Action 2.4 - Revision and updating of building codes takes manpower and necessary funding. Also recommend to California Legislature funding for the revision and updating of building codes.

This is a useful suggestion.

COMMENTS ON CONTINUING PLANNING PROCESS (CPP) SPECIFIC TO POLICIES AND ACTIONS

Louisa Jaskulski, PACE

CPP Action 1.2 - Just having this broad spectrum of representatives of the community, industry and local government, sitting and talking together about how best to proceed in all of our best interest is a mammoth step forward. It could become an essential interface between local concerns, and State and Federal agencies.

EMTF has recommended a continuation of itself. The final determination will be made by the Executive Board and the General Assembly.

Gail H. Stanton, Oro Loma Sanitary District

CPP Action 1.2 - The use of EMTF and technical advisory committees in coordinating plan development is beneficial to wastewater management.

EMTF adopted actions to this effect.

Carolyn F. Bovat for the City of Clayton

CPP Action 1.2 - EMTF's original purpose will have been completed. Continuation of their existence is not justified. Recommendation: The Executive Board and not the EMTF be responsible for updating the EMP; to monitor, coordinate, and oversee the implementation of the EMP; to develop and recommend governmental and financing mechanisms for planning and implementation beyond the initial period. Only when there are major changes, modifications, and/or additions to the adopted plan shall the Executive Board consider establishing a citizens' advisory committee.

The Executive Board will decide the fate of EMTF. Also, EMTF's actions serve to leave the questions of plan update and continued planning to the Executive Board.

Individual/Comment

Carolyn F. Bovat (Cont.)

CPP Action 1.3 - ABAG should discontinue the existing staff arrangement for air quality planning and limit its staff in size for a coordinating role only. Employment of special expertise by ABAG already employed by existing agencies is not justified.

CPP Action 1.9 - The Procedures Manual should be modified to replace the EMTF with the Executive Board. The Procedures Manual should then be expanded for the CPP, continuing the Executive Board with responsibilities rather than EMTF.

CPP Action 2.1 - The City agrees with the concept only. (1) The implementation of this recommendation shall be directed by the Executive Board and not the EMTF. (2) The water quality planning staff would consist of the existing staff of those agencies with special expertise. ABAG staff minimal and with coordinating responsibilities only. (3) The solid waste planning should be carried out by the county solid waste staff and only be coordinated by ABAG. (4) The RPC instead of the EMTF would consider staff recommendation and approval on updated plan over a period of approximately 8 to 9 months. (5) The update should go to the Executive Board and finally to the ABAG General Assembly for final action.

Response

ABAG has been designated to plan for the implementation of the Federal Clean Air Act Amendments of 1977. ABAG has already coordinated the preparation of a plan for control of hydrocarbon emissions. This is in partial satisfaction of the Federal law. There are, however, requirements to develop further air quality plans for control of suspended particulates and carbon monoxide emissions. Moreover, the Federal law requires updating of the hydrocarbon plan and a monitoring of its implementation. It is the opinion of staff that the expertise already gained should be used to its best advantage in the preparation of the remaining plans as well as the implementation of the hydrocarbon plan.

If the Executive Board recommends that the EMTF be discontinued, the Procedures Manual will be revised to reflect this.

The future of the EMTF will be decided by the Executive Board. State and Federal law require an integrated continuing planning process for water quality. Staff's opinion is that a joint planning arrangement with the Regional Water Quality Control Board is the best way to handle continued water quality planning for the Bay Area. As for solid waste, ABAG has responsibility under State law to prepare and update a regional solid waste management plan for the Bay Area; this plan makes maximum use of existing county solid waste plans. If the EMTF is abolished, RPC's role may be expanded during the continuing planning process. Staff has recommended in proposed CPP Action 2.1 that the annual plan update be adopted by the General Assembly; the Executive Board will determine the future of this action.

Individual/Comment

Bay Area Council

CPP Action 1.6 - The advisory committees have not functioned as well as expected. Many members of the advisory groups have complained that ABAG staff have not utilized input from the committees. Recommendation (wording change): Maintain advisory committees to meet and report to EMTF as needed during the continuing planning process.

R. D. Martin for the San Mateo County City Managers' Association

CPP Action 1.4 - Provide for a joint water quality planning arrangement rather than joint staffing. This should include local governments.

CPP Action 6.5 - Cities and counties will continue as part of their own administration of their General Plans or as part of their local cooperative planning processes, to review and analyze physical development patterns and land use trends to identify measures and opportunities that can enhance air quality in the Bay Area. Further, all action items listed under Study Task 1 should be deleted.

CPP Policy 2 - The plan should be updated biennially and a progress report issued annually. (In conformance with State Planning Program Guidance Memo 1.)

CPP Action 2.2 - No revisions of the plan should be made without the approval of the General Assembly. Proposed revisions should be made available to representatives in sufficient time for local review prior to General Assembly meetings.

Response

ABAG By-laws specify that technical advisory committees are advisory to staff. EMTF, on the other hand, has recommended the position taken by the Bay Area Council.

Local governments would be represented through ABAG. Local governments are not directly represented on the Regional Water Quality Control Board.

Staff agrees with the first sentence of this comment. The purpose of Study Task 1 is to figure out how Federal oxidant standards can be maintained after 1987. It is an information-gathering task. Failure to meet and maintain the standard could result in very heavy Federal penalties on the Bay Area.

This issue has yet to be worked out. Staff is working with the idea that an annual update should be brought to the ABAG General Assembly, but this of course is subject to change.

Staff agrees with this comment.

COMMENTS ON PLAN IMPLEMENTATION (PI) AND CONTINUING PLANNING PROCESS (CPP) NOT SPECIFIC TO POLICIES AND ACTIONS

Individual/Comment

Response

Janet Gray Hayes for the City of San Jose

A critical element of the draft plan is the establishment of a continuing planning process. It is essential that the updating process be used to revise policies that in practice result in unacceptable adverse economic impacts. This process will also allow for adjustments in the plan to reflect changes in State or Federal air or water quality standards. San Jose's support of the basic strategies of the EMP is predicated upon the assumption that local government will be intensely involved in the CPP, and will be able to effect changes in the plan as it is implemented.

Staff agrees with this comment. San Jose's concerns are reflected in the staff draft of the continuing planning process, which will be acted on by the Executive Board.

Gary Falati for the City of Fairfield

We recommend that all proposed implementing actions be the subject of a cost/benefit analysis and that the results of such analysis be an important determinant of appropriate implementing actions.

Staff has recommended that the annual update of the Environmental Management Plan include "a summary of benefits, costs and progress of plan implementation during the preceding year" and, for new policies and actions, "an assessment of their economic, social and environmental impacts." The Executive Board will determine the fate of this recommendation.

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Marjorie Sutton, Sierra Club

What is really needed to insure sound land use planning and decision making is a comprehensive regional government agency with clear powers to guide land uses with regional impacts.

Proposed Action 7.2 for the CPP set of policies and actions is to "develop and propose governmental and financing mechanisms for planning and implementation beyond the first two years following plan approval." Among the governmental options considered will be those involving a comprehensive environmental planning agency at the regional level. There are several variations on this possibility. The results of this study may culminate in recommendations from ABAG to the State Legislature.

Individual/Comment

Response

Sidney Lorvan for the City of Pacifica

I and the rest of my Council believe that before the EMP becomes a new charter which governs all other decisions and activities in the Bay Area, the Federal legislation which caused it should be reexamined to see if it was truly Congressional intent that local lifestyles, local government, local economics, and local General Plans were to become subordinate to a regional environmental plan. I hope this explains the need to have Congressional hearings on Federal environmental legislation. We believe it important to have a clear call from the Executive Board for such hearings.

Staff notes these comments. It has not been the intent of the EMP process to result in the subordination of local government to a regional environmental management plan. If this has been the result, the Executive Board should consider calling for Congressional hearings on this Federally mandated plan.

Bix Swain, Zero Population Growth

I recommend that the EMTF add language to the plan urging Congress to adopt a national population policy and supporting and end to population growth in this country.

EMTF did not consider a recommendation that Congress adopt a national population policy. Population ranges for the Bay Area's future were discussed by the EMTF insofar as they relate to the sizing of wastewater treatment facilities and other environmental concerns. The task force did consider but did not adopt a population target for the Bay Area.

Gail H. Stanton, Oro Loma Sanitary District

Development of a CPP which provides for the generation of information needed for continuation of wastewater facilities planning and rational regulation of wastewater discharges is beneficial to wastewater management.

Staff agrees.

There should be provision for a more direct policy role and representation of wastewater agencies in the CPP and subsequent plan adoption or amendments.

This topic will be considered by the Executive Board when it decides the future of the EMTF.

Individual/Comment

Response

Alice Roylance for the City of Mountain View

ABAG can and should continue as a strong, important regional agency but not at the expense of increased costs to all residents of the Bay Area through multiple layers of review and control nor through the removal of important local powers. The role of ABAG should continue to be one of coordinator and not one of overseer.

Staff agrees. ABAG's only enforcement role is through the A-95 authority to review and comment on applications for Federal grant money. This would be applied specifically to the 20-year project list in the EMP. This is a very limited form of "enforcement". Also, as the lead agency for the continuing planning process, ABAG would monitor plan implementation as well as conduct a set of planning tasks.

Jon Q. Reynolds, East Bay Municipal Utility District

We are interested in what CPP the EMTF will recommend to the ABAG Executive Committee. This District has actively participated in the regional planning process to date, and we want to continue to be involved.

EMTF's action was to recommend, essentially, that the Executive Board decide the form and functions of the continuing planning process.

Carolyn F. Bovat for the City of Clayton

The City cannot support this recommendation (of a list of continuing planning tasks) because of changes already suggested for some of the other recommendations.

The City of Clayton's comment refers to a proposed recommendation in a previous draft. That recommendation was that a list of continuing planning process tasks be undertaken. Because of comments that the list of tasks was included only by reference, staff redrafted the proposal to make it more explicit. The redraft should be amenable to the City of Clayton.

Lenard E. Grote for the City of Pleasant Hill

This is to advise you that the City of Pleasant Hill passed the following motion at their March 27, 1978 regular Council meeting by a 5-0 vote: "Motion: That a CPP be contained in the body of the EMP, and that the Executive Board of ABAG be responsible for establishing the organizational format except that the General Assembly must act upon any proposed future amendment to the EMP that comes through the process, and that ABAG should seek Federal funding for the

Staff notes the proposed amendment, which will be considered by the Executive Board. The Regional Planning Committee took actions which are consistent with this proposal.

Individual/Comment

Lenard E. Grote (Cont.)

necessary expenses to sustain the CPP." This is a proposed amendment to be considered by the Regional Planning Committee and the Executive Board as well as the General Assembly.

Response

AFFIRMATIVE ACTION POLICIES

COMMENTS AND RESPONSES

March 16, 1978 to
March 31, 1978

Comments to Specific Affirmative Action Policies and Actions

Individual/Comment

David Romain, Albany

Add to Policy 1: "in accordance with the spirit and intentions of Federal Affirmative Action policies."

Add the following action item: "Establish a Regional Affirmative Action Task Force to study the needs of the region in this critical area of environmental management planning, provide realistic and necessary staff support to perform such a study, and commit this agency to develop a program to mitigate the negative findings of such a study."

Add the following new policy:
"Propose to all public school districts in the region that their school curricula include a concise program to educate all children in environmental awareness, including awareness of the human and neighborhood environment."

"Encourage the State Energy Commission, the Federal Environmental Protection Agency, and other appropriate State and Federal agencies to provide funding to local school districts to enable the development and continuation of such programs."

Response

This additional language should be included for clarification, adding reference to State laws as well.

This is a useful suggestion. Policy 5 includes the recommendation that a regional affirmative action coordinating advisory committee be established. That committee would be concerned with affirmative action problems of regional significance. A task force or advisory committee would serve the same purpose. A motion designating the coordinating committee to act as the task force and carry out the study was approved by EMTF March 16. While the Association cannot be committed in advance to carrying out the findings of any study, steps can be taken to make sure the findings are brought to the ABAG policy makers for action.

These are very constructive ideas. Staff recommends that they be added to the environmental information component of the continuing planning program. The reason for moving them from affirmative action is so that EMP affirmative action policies can concentrate on the area of employment, contracting and sub-contracting.

Same as above.

Individual/Comment

David Romain (Cont.)

"Charge the Affirmative Action Task Force with the responsibility to develop specific implementable program proposals to improve the basic education of minorities in environmental awareness and career oriented environmental science education."

"Propose curricula in environmental sciences to be geared to college preparatory programs."

"..that the entire affirmative action component of the EMP has been treated as an appendix with corresponding impact."

"At the last EMTF meeting a staff handout on legal and illegal aliens was submitted to task force members. What is supposed to be the significance of this handout to the EMP?"

Concerned Taxpayers Group of Antioch

We oppose the five pages of affirmative action policies. Jobs should be for the most qualified person, regardless of sex, age, color or minorities.

State Office of Economic Opportunity

We are concerned about the wording "avoid unnecessary negative social and economic impacts on minorities." Who determines what is unnecessary? How is it determined? We are not satisfied with such statements as "attention should be given to possible economic and social disruption in communities with high concentrations of minorities and poor persons."

Response

Same as above. Staff notes, however, that the Affirmative Action Coordinating Committee/Task Force could explore para-professional careers (environmental technicians) through CETA as part of its work.

Same as above.

It is true that affirmative action policies were developed at the end of the program but they are nevertheless a serious component. The policies were developed for incorporation into the EMP on the specific instructions of EMTF. It should be noted that Draft Equal Opportunity Policies are also being considered for inclusion in the Regional Plan update (copy attached).

The handout was prepared in response to a specific request from Supervisor Cooper.

EMTF disagrees.

EMTF has modified wording of policies.



